



EXPEDITED RULE MAKING

CR-105 (June 2024) (Implements RCW 34.05.353)

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STATE OF WASHINGTON
FILED

DATE: July 17, 2025

TIME: 11:32 AM

WSR 25-15-105

Agency: Department of Social and Health Services, Home and Community Living Administration, DDCS

Title of rule and other identifying information: (describe subject) Chapter 388-825A. Amending WAC 388-825A-0040 How does an existing children's residential habilitation services, intensive habilitation services, or enhanced respite services provider obtain certification?

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Changes to existing rule 388-825A-0040 to add the effective date of the chapter. The WAC currently states: 388-825A-0040 How does an existing children's residential habilitation services, intensive habilitation services, or enhanced respite services provider obtain certification?

(1) For an existing children's residential habilitation services, intensive habilitation services, or enhanced respite services provider who delivered services before [enter effective date of chapter], DDA will issue the provider a special preliminary certification. Remove "[enter effective date of chapter]" and change to "July 1, 2025"

Reasons supporting proposal: The department inadvertently missed entering the effective date prior to permanent adoption.

Statutory authority for adoption: RCW 71A.12.030, RCW 34.05.353 (1)(c)

Statute being implemented:

Is rule necessary because of a:

Federal Law?

☐ Yes ☒ No

Federal Court Decision?

☐ Yes ☒ No

State Court Decision?

☐ Yes ☒ No

If yes, CITATION:

Name of proponent: (person or organization) Department of Social and Health Services

☐ Private

☐ Public

☒ Governmental

Name of agency personnel responsible for:

Name

Office Location

Phone

Drafting: Lori Gianetto Bare P.O. Box 45310, Olympia, WA 98504-5310 360-407-1565

Implementation: Lori Gianetto Bare P.O. Box 45310, Olympia, WA 98504-5310 360-407-1565

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Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: NA

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

- ☐ Relates only to internal governmental operations that are not subject to violation by a person;
- ☐ Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- ☒ Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- ☐ Content is explicitly and specifically dictated by statute;
- ☐ Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- ☐ Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

- ☐ The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- ☐ The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- ☐ The rule is no longer necessary because of changed circumstances; or
- ☐ Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4): Corrects an error, the date was inadvertently missed.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: DSHS Rules Coordinator

Agency: Department of Social and Health Services

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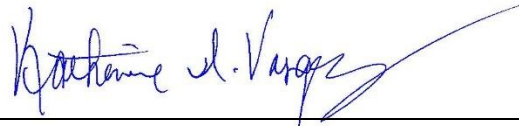
BEGINNING (date/time) noon on July 17, 2025 **AND RECEIVED BY** (date/time) 5:00 p.m. on September 23, 2025

Date: July 17, 2025

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



WAC 388-825A-0040 How does an existing children's residential habilitation services, intensive habilitation services, or enhanced respite services provider obtain certification? (1) For an existing children's residential habilitation services, intensive habilitation services, or enhanced respite services provider who delivered services before (~~([enter effective date of chapter])~~) July 1, 2025, DDA will issue the provider a special preliminary certification.

(2) For the existing children's residential habilitation services, intensive habilitation services, and enhanced respite services providers only:

(a) The special preliminary certification is valid no more than 12 months after the special preliminary certification is issued.

(b) Before the special preliminary certification expires, a provider must obtain regular certification. An initial certification is not required.

(c) A site visit is not required before DDA issues the special preliminary certification.