

WAC 110-15-0220 Special needs rates—Qualification and required documentation. (1) **Qualification.** To qualify for a special needs rate in addition to the base rate, the consumer must request a special needs review for the child. The child must either:

(a) Be thirteen up to nineteen years of age and be under court supervision; or

(b) Be less than nineteen years of age and have a verified physical, mental, emotional, or behavioral condition that requires a higher level of care needed in the child care setting.

(2) **Required documentation.** The documentation must:

(a) Support the severity of the condition and level of care required to meet that child's need;

(b) Describe the child's additional needs above the daily routine care required under chapter 170-295, 170-296A, or 170-297 WAC, for child care providers who are licensed or certified, or WAC 170-290-0130 and 170-290-0138 for child care providers who provide in-home/relative care;

(c) Address relevant areas, such as ambulatory assistance, feeding, hygiene assistance, communication, or behavior as applicable and as needed by the child;

(d) Include completed DEL special needs request forms from both the consumer and the provider; and

(e) Have the child's condition and need for higher level of care verified by a qualified individual who is not employed by the child care facility nor a relative of the provider or the child's family, and is either a:

(i) Health, mental health, education or social service professional with at least a master's degree; or

(ii) Registered nurse.

New verification is not required at review or due to a change in provider, if the child's condition has been verified to be life-long and not improving;

(f) Include one or more of the following completed forms from a person listed in (e) of this subsection:

(i) Medical or psychological reports from a mental health professional;

(ii) Medical reports or statements from a medical health profession;

(iii) Individualized education plan (IEP);

(iv) Individual health plan (IHP);

(v) Individual family service plan (IFSP);

(vi) Basic health records from the health care provider; or

(vii) Comprehensive assessments from a mental health professional.

(g) For one-on-one care, the name of the person providing the care.

(3) **Special needs review.**

(a) DSHS processes all Level 1 special needs cases for children under thirteen within thirty calendar days from the date of the special needs request.

(b) DEL and DSHS jointly review Level 2 special needs cases for children under thirteen.

(c) DEL and DSHS jointly review all special needs requests for children thirteen years of age through nineteen years of age.

(d) All requests for Levels 1 and 2 special needs rates are decided within fifteen consecutive days of the initial request. The fif-

teen-day time limit begins on the day after the date that the consumer and provider provide all of the required verification for that case as provided in this section.

(e) The provider will be notified of the approval or denial of a Level 2 special needs rate request within fourteen calendar days of the decision.

(4) **Purpose of special needs rate.** WCCC does not pay for the provider's training needs to care for a specific child or for the child's equipment needs while in the child care setting. The special needs rate is for care provided in addition to the daily routine care required under chapter 170-295, 170-296A, or 170-297 WAC, for child care providers who are licensed or certified, or WAC 170-290-0130 and 170-290-0138 for child care providers who provide in-home/relative care.

[WSR 18-14-078, recodified as § 110-15-0220, filed 6/29/18, effective 7/1/18. Statutory Authority: RCW 43.215.060 and 43.215.070. WSR 17-18-051, § 170-290-0220, filed 8/31/17, effective 10/1/17. Statutory Authority: RCW 43.215.060, 43.215.070, and chapter 43.215 RCW. WSR 16-09-059, § 170-290-0220, filed 4/15/16, effective 5/16/16; WSR 14-03-060, § 170-290-0220, filed 1/13/14, effective 2/13/14; WSR 12-11-025, § 170-290-0220, filed 5/8/12, effective 6/8/12. Statutory Authority: RCW 43.215.060, 43.215.070, 2006 c 265, and chapter 43.215 RCW. WSR 09-22-043, § 170-290-0220, filed 10/28/09, effective 12/1/09. WSR 08-08-047, recodified as § 170-290-0220, filed 3/27/08, effective 3/27/08. Statutory Authority: RCW 74.04.050, 74.12.340, 74.13.085, and 2003 1st sp.s. c 25. WSR 04-08-021 and 04-08-134, § 388-290-0220, filed 3/29/04 and 4/7/04, effective 5/28/04. Statutory Authority: RCW 74.04.050 and C.F.R. Parts 98 and 99 (Child Care Development Fund Rules). WSR 02-01-135, § 388-290-0220, filed 12/19/01, effective 1/19/02.]