

WAC 388-76-10004 Exemptions. (1) An adult family home may request an exemption to a specific requirement in this chapter. The request must demonstrate to the department that the exemption will:

(a) Not jeopardize or adversely affect any resident's health, safety, rights, or quality of life;

(b) Not change the fundamental nature of the adult family home operations;

(c) Correct deficiencies, prevent deficiencies, or upgrade the home in order to better serve residents;

(d) Allow the home to provide a comparable level of service to residents through the use of alternative procedures, materials, or equipment; and

(e) Not violate state or federal laws.

(2) A request for exemption must be submitted to the director of residential care services in writing and must:

(a) Identify the specific section of this chapter for which the exemption is sought;

(b) State the reason the requested exemption is needed; and

(c) Provide an explanation of how the home will meet the requirements in subsection (1) of this section if the exemption is approved.

(3) The adult family home must retain in the adult family home a copy of each approved exemption.

(4) Exemption to a requirement of this chapter may be granted at the sole discretion of the director of residential care services after evaluation of the criteria in subsection (1) of this section. The adult family home is not entitled to an administrative appeal of the department's denial of a request for an exemption.

[Statutory Authority: RCW 70.128.040 and 70.128.066. WSR 23-12-075, § 388-76-10004, filed 6/6/23, effective 8/1/23.]