

WSR 22-13-121
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed June 17, 2022, 10:10 a.m.]

Subject of Possible Rule Making: The department of social and health services (DSHS) is considering amending WAC 388-76-10350, 388-78A-2100, and 388-107-0080 to extend timelines for resident assessments and other related rules as required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.20.090, 70.97.230, and 70.128.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Because of the COVID-19 public health emergency, home and community services (HCS) temporarily suspended completing re-assessments for HCS clients living in adult family homes, assisted living facilities, and enhanced services facilities. The department filed emergency rules suspending the required deadlines for completing these assessments on February 24, 2022, under WSR 22-06-042. The intent of the suspension is to allow case managers to focus on completing assessments on patients in hospitals, easing the capacity challenges in hospitals by allowing those patients to be discharged to long-term care facilities. Because HCS clients must have an assessment completed by a case manager, facilities are not able to complete this regulatory requirement while HCS is not completing reassessments. DSHS is considering rule making to capture the timeline of this emergency suspension in rule.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal or state agencies regulate this subject.

Process for Developing New Rule: Negotiated rule making; and DSHS will use a collaborative rule-making process to develop and receive comments on draft rules. Contact the DSHS staff listed below to receive draft material and information about how to participate in the rule-making process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Libby Wagner, P.O. Box 45600, Olympia, WA 98504, phone 360-464-0487, fax 360-438-7903, email libby.wagner@dshs.wa.gov.

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