

WSR 23-12-075

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed June 6, 2023, 11:38 a.m., effective August 1, 2023]

Effective Date of Rule: August 1, 2023.

Purpose: This rule making is necessary to incorporate ESHB 1023, 2020 regular session, into the rules. This passed legislation allows certain adult family home providers to increase their capacity from six residents to eight. This rule making is also intended to address challenges that the adult family home industry is facing related to complying with the liability insurance requirements in the current rules and to clarify use, implementation, and enforcement of management agreements. New rules were developed to create a process for adult family home providers to request an exemption to rule. This was requested during the stakeholder meetings.

Citation of Rules Affected by this Order: New WAC 388-76-10004, 388-76-10031 and 388-76-10032; repealing WAC 388-76-10193; and amending WAC 388-76-10000, 388-76-10030, 388-76-10055, 388-76-10175, 388-76-10191, 388-76-10192, 388-76-10780, 388-76-11050, and 388-76-11055.

Statutory Authority for Adoption: RCW 70.128.040.

Other Authority: RCW 70.128.066.

Adopted under notice filed as WSR 23-04-046 on January 26, 2023.

Changes Other than Editing from Proposed to Adopted Version:

Amended definition of "mandated reporter" for consistency with statutory definition (RCW 74.34.020) effective July 23, 2023.

A final cost-benefit analysis is available by contacting Colleen Jensen, P.O. Box 45600, Olympia, WA 98504, phone 564-999-3182, email colleen.jensen1@dshs.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 2, Amended 2, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 1, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 7, Repealed 1.

Number of Sections Adopted using Negotiated Rule Making: New 3, Amended 9, Repealed 1; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: June 6, 2023.

Lisa N. H. Yanagida
Chief of Staff

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 23-13 issue of the Register.