

WSR 23-13-017  
PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF HEALTH  
[Filed June 9, 2023, 9:19 a.m.]

Subject of Possible Rule Making: Behavioral health agency regulations as they relate to 23-hour crisis relief centers in Washington state. The department of health (department) is considering amending the behavioral health agency regulations in chapter 246-341 WAC, including but not limited to WAC 246-341-0200 and 246-341-0901, as needed in order to implement 2SSB 5120 (chapter 433, Laws of 2023), an act concerning the establishment of 23-hour crisis relief centers in Washington state. The department may also amend these and other sections of chapter 246-341 WAC to address statutory changes as a result of the 2023 legislative session.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71.24.037; 2SSB 5120 (chapter 433, Laws of 2023).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Section 2 of 2SSB 5120 directs the department to adopt rules to develop standards for licensure or certification of 23-hour crisis relief centers, a new type of facility that will provide mental health and substance use crisis response to adults for no more than 23 hours and 59 minutes at a time. The rules must include standards for determining medical stability before an emergency medical services drop-off, the number of licensed or certified recliner chairs allowed in the facility, and specify physical environment standards for the construction review process. The department may also consider amendments to other behavioral health agency rules in chapter 246-341 WAC to align with statutory changes passed by the 2023 Washington state legislature, including 2SHB 1724 (chapter 425, Laws of 2023).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Health care authority (HCA); the department is required to consult with HCA on the development of these rules.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dan Overton, P.O. Box 47843, Olympia, WA 98504-7843, phone 360-236-2953, fax 360-236-2321, TTY 711, email dan.overton@doh.wa.gov.

Additional comments: Interested parties may participate in the development of draft rules prior to a formal proposal by joining the department's interested parties list (GovDelivery), attending workshops, and providing input on draft and proposed materials. To find out more information about our rule making and to be included on the interested parties list, please follow these steps: (1) Go to www.doh.wa.gov; (2) click on the "Sign up for Updates from DOH" button on the bottom of the page; (3) enter your contact information; (4) click "Submit"; (5) under the subscription preferences, check the box that says "Behavioral Health Care Integration"; and (6) scroll to the bottom of the page and click "Submit."

June 9, 2023  
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for Umair A. Shah, MD, MPH  
Secretary