

WSR 24-16-001
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed July 24, 2024, 12:02 p.m.]

Subject of Possible Rule Making: The department of social and health services (department) is planning to add a new section to WAC 388-106-1000 through 388-106-1055 in the paid private duty nursing (PDN) section of WAC. The new section may be under WAC 388-106-1021, which is related to PDN paid holidays. Currently, PDN providers have been receiving holiday pay and referring to a Washington state employee WAC. PDN providers are not Washington state employees and therefore need to have clarity in this WAC section for paid holidays. During this rule making the department may identify and amend other related rules as required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090 and 74.09.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules for PDN providers and PDN holiday pay are unclear. Therefore, paid PDN contracted providers need clarity in WAC that outlines the days for which they will receive holiday pay.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Coordinating with health care authority and developmental disability administration.

Process for Developing New Rule: The department invites interested parties to review and provide input on the draft language of this rule. Draft material and information about how to participate may be obtained from the department representatives listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kaila O'Dell, 4450 10th Avenue S.E., Lacey, WA 98504, phone 360-915-3396, email kaila.odell@dshs.wa.gov, website <https://www.dshs.wa.gov/altsa/private-duty-nursing>; or Angela Nottage, 4450 10th Avenue S.E., Lacey, WA 98504, phone 360-725-2323, email angela.nottage@dshs.wa.gov.

July 24, 2024
Katherine I. Vasquez
Rules Coordinator