

WAC 110-302-0435 Waiver from department rules. (1) The department cannot waive a requirement that is described or included in a state or federal law.

(2) Pursuant to RCW 43.216.065, the department may approve a waiver from a rule described in this chapter if it does not jeopardize the health, safety, or welfare of the children in care.

(3) ONB providers' requests for a waiver from a rule in this chapter must be:

(a) Submitted in writing to the department;

(b) Approved in writing by the department secretary or the secretary designee prior to the ONB provider implementing the waiver from the rule; and

(c) For a specific ONB program need or child.

(4) A department approved waiver may be time specific or may remain in effect for as long as the ONB provider continues to comply with the conditions of the waiver. If the waiver is time limited, the ONB provider must not exceed the time frame established by the department.

(5) The department may rescind an approved waiver if a licensing rule that was considered in granting the waiver is materially altered or amended.

(6) The department may rescind an approved waiver at any time if it determines that such waiver is or may negatively impact the health, safety, or well-being of any enrolled child.

[Statutory Authority: RCW 43.216.742. WSR 23-10-059, § 110-302-0435, filed 5/1/23, effective 6/1/23.]