

**WSR 21-09-014**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**EMPLOYMENT SECURITY DEPARTMENT**

[Filed April 9, 2021, 11:25 a.m.]

Subject of Possible Rule Making: The long-term services and supports trust program under Title 50B RCW requires rule making for implementation. Rule making is being done in distinct phases. This pre-proposal statement of inquiry begins phase 3 to implement portions of the program that are under the employment security department's (ESD) authority. This phase includes, but is not limited to, determinations of "qualified individual" status, audit functions, designated representatives, and other rules as necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50B.04.020 (4)(e); chapter 50B.04 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESD must implement and administer portions of chapter 50B.04 RCW.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington state health care authority, department of social and health services, and office of the state actuary. ESD's rules drafting timeline will be shared with these agencies and feedback will be requested from them throughout the rule-making process.

Process for Developing New Rule: The draft rules will be shared with other state agencies, the public, stakeholders, and the program's commission and council. ESD will solicit input from all involved parties and consider all comments in the development of the final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting April Amundson, 640 Woodland Square Loop S.E., Lacey, WA 68503 [98503], phone 360-485-2816, TTY Teresa Eckstein, state EO officer, 771 [711] or 360-902-9354, email Rules@esd.wa.gov, website <https://esd.wa.gov/newsroom/rulemaking/ltss/>.

April 9, 2021  
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