

**WSR 21-09-080**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Aging and Long-Term Support Administration)  
[Filed April 20, 2021, 4:03 p.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-106-0250 What is the roads to community living (RCL) demonstration project and who is eligible?, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.520; Affordable Care Act (ACA), Deficit Reduction Act of 2005 (P.L. 109-171), and Consolidated Appropriations Act of 2021 (Section 204).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule making will ensure that RCL eligibility aligns with the federal Money Follows the Person (MFP) demonstration eligibility criteria. The Consolidated Appropriations Act of 2021, Section 204 outlines an extension of MFP rebalancing demonstration and changes the institutional residency period requirement, striking the ninety day institutionalized eligibility period and inserting a sixty day institutionalization period. In addition, MFP demonstration eligibility includes all settings identified as home and community-based settings. RCL is the name of Washington state's MFP demonstration.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The aging and long-term support administration will coordinate with developmental disabilities administration during this rule-making process.

Process for Developing New Rule: The department invites the interested public 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 representative listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Julie Cope, RCL Systems Change Specialists, P.O. Box 45600, Lacey, WA 98504, phone 360-725-2529, fax 360-438-8633, email Julie.cope@dshs.wa.gov; or Stephanie VanPelt, RCL Enrollment Specialist, P.O. Box 45600, Lacey, WA 98504, phone 360-725-2526, fax 360-438-8633, email Stephanie.Vanpelt@dshs.wa.gov.

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