

WSR 22-08-039

PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT

[Filed March 30, 2022, 3:01 p.m.]

Subject of Possible Rule Making: The employment security department (department), leave and care division, is considering rules to implement legislation that became law during the 2022 legislative session. SHB 1732 (chapter 1, Laws of 2022) and ESHB 1733 (chapter 2, Laws of 2022) affect the long-term services and supports trust (WA Cares) program under Title 50B RCW and require rule making for implementation. This rule making will address portions of the program under the department's authority and will include consideration of rules regarding the delay in program implementation and voluntary exemptions. Other technical and clarifying rules and amendments may be considered as needed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 1 and 2, Laws of 2022; RCW 50B.04.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department must implement and administer portions of Title 50B RCW. Rules will ensure clear guidance is available for implementation and administration.

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 also have program implementation and administration responsibilities under Title 50B RCW. Drafts of rules will be shared with these agencies and feedback will be requested from them throughout the rule-making process.

Process for Developing New Rule: Collaborative rule making. The draft rules will be shared with other state agencies, the public, stakeholders, and the program's commission. The department will request 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 Janette Benham, 640 Woodland Square Loop S.E., Lacey, WA 68503 [98503], phone 360-790-6583, 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/>.

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