

WSR 23-15-035
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Behavioral Health Administration)
[Filed July 11, 2023, 9:38 a.m.]

Subject of Possible Rule Making: Amending WAC 388-880-005 Special commitment of sexually violent predators—Legal basis, 388-880-007 Purpose, 388-880-020 Authorization for indefinite commitment to the sexual predator program, 388-880-030 Sexual predator program supplemental and post commitment evaluations, 388-880-031 Sexual predator program annual evaluation, 388-880-033 Evaluator—Qualifications, 388-880-034 Evaluator—Supplemental and post commitment evaluation responsibilities, 388-880-035 Refusal to participate in a supplemental or post commitment pretrial evaluation, 388-880-036 Supplemental evaluation—Reporting, 388-880-040 Individualized treatment, 388-880-050 Rights of a person court-detained or civilly committed to the special commitment center, and other related sections as may be necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71.09.010, 71.09.040, 71.09.060, 71.09.070, and 71.09.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of social and health services (DSHS) recognizes these WAC have not been updated since 2013 and since then, there have been policy and RCW changes that require an update. DSHS has decided to change the name of the treatment program from "sexual predator program" to "sex offense specific treatment program," which will help clarify the type of treatment provided by the special commitment center. DSHS is updating the WAC that relate to the forensic evaluations that are completed as well as the qualifications of the forensic evaluators.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Emma Palumbo, P.O. Box 45854, Olympia, WA 98504, phone 360-972-6214, email emma.palumbo@dshs.wa.gov.

July 7, 2023
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