

## WSR 23-23-143

## PROPOSED RULES

## DEPARTMENT OF

## SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed November 20, 2023, 11:35 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-17-025.

Title of Rule and Other Identifying Information: The department is planning to amend WAC 388-112A-0800 related to adult family home administrator training certification.

Hearing Location(s): On December 26, 2023, at 10:00 a.m., virtually via Microsoft Teams or call in. See the department of social and health services (DSHS) website <https://www.dshs.wa.gov/sesa/rpau/proposed-rules-and-public-hearings> for the most up-to-date information.

Date of Intended Adoption: Not earlier than December 27, 2023.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, email [DSHSRPAURulescoordinator@dshs.wa.gov](mailto:DSHSRPAURulescoordinator@dshs.wa.gov), fax 360-664-6185, by 5:00 p.m. on December 26, 2023.

Assistance for Persons with Disabilities: Contact DSHS rules consultant, phone 360-664-6036, fax 360-664-6185, TTY 711 relay service, email [shelley.tencza@dshs.wa.gov](mailto:shelley.tencza@dshs.wa.gov), by 5:00 p.m. on December 12, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Rules on this subject are needed due to the lack of alignment between WAC 388-112A-0800 and RCW 70.128.120. Currently, the WAC and the law have conflicting information related to the number of hours of training needed for required adult family home administrator training. This conflict is causing concerns during the adult family home application process because older certificates with fewer hours, while valid, do not meet the hours required in the current rule. The change will ensure that older certificates, provided they were received through an approved community college program, will be accepted.

Reasons Supporting Proposal: Unlike rules for home care aide certificates of training completion, current rules do not specify a time limit for validity of adult family home administrator training certificates for the purpose of new adult family home applicants. Assuring [Ensuring] that training be reasonably current for new applicants is in the best interest of adult family home residents. Well-trained adult family home administrators are essential to the wellbeing of residents.

Statutory Authority for Adoption: RCW 70.128.120, 71A.12.040, 74.39A.009, 74.39A.070, and 74.39A.074.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: DSHS, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: David Chappell, P.O. Box 45600, Lacey, WA 98504-5600, 360-725-2516.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Dave Chappell, P.O. Box 45600, Lacey, WA 98504-5600, phone 360-725-2516, email [david.chappell@dshs.wa.gov](mailto:david.chappell@dshs.wa.gov).

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Scope of exemption for rule proposal:

Is fully exempt.

November 17, 2023  
Katherine I. Vasquez  
Rules Coordinator

## SHS-4997.1

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

**WAC 388-112A-0800 What is residential care administrator training?** (1) Residential care administrator training is specific training on the administration of the care and services required to obtain a license or manage a facility. The training covers the facility specific Washington state statutes and administrative rules related to the operation of a long-term care facility.

(2) **Adult family home (AFH) administrator training.**

(a) AFH administrator training (~~(is)~~) must be a minimum of (~~(fifty-four)~~) 48 hours of (~~(training)~~) instructional time taken from an approved community college on topics related to the management and licensing requirements of adult family homes described in chapter 388-76 WAC.

(b) DSHS must approve AFH administrator training curricula, instructors, and training programs in a community college setting.

(3) **Assisted living facility (ALF) administrator training.**

(a) ALF administrator training curricula must be based on the requirements described in chapter 388-78A WAC.

(b) DSHS will work with stakeholders to develop, update, and approve ALF administrator training curricula, instructors, and training programs.

(4) **Enhanced services facility (ESF) administrator training.**

(a) An ESF administrator must complete:

(i) All training as required under this chapter and chapter 388-107 WAC; and

(ii) When available, ESF administrator training developed by the department.

(b) DSHS must approve ESF administrator training, instructors, and training programs.