

WSR 24-13-066
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Developmental Disabilities Administration)
[Filed June 14, 2024, 10:03 a.m., effective July 15, 2024]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The developmental disabilities administration amended these rules to change the labeling requirements for prescribed and over-the-counter medications for clients who receive services from providers under chapter 388-101D WAC, Group homes, group training homes, supported living, and state-operated living alternatives for adults.

Related emergency rules are currently in place. When effective, this permanent filing supersedes the emergency rule filed under WSR 24-12-061.

Citation of Rules Affected by this Order: Amending WAC 388-101D-0295 and 388-101D-0330.

Statutory Authority for Adoption: RCW 71A.12.030.

Other Authority: RCW 71A.12.120.

Adopted under notice filed as WSR 24-10-046 on April 24, 2024.

A final cost-benefit analysis is available by contacting Chantelle Diaz, P.O. Box 45310, Olympia, WA 98504-5310, phone 360-790-4732, fax 360-407-0955, TTY 1-800-833-6388, email Chantelle.Diaz@dshs.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Date Adopted: June 14, 2024.

Lisa N. H. Yanagida
Chief of Staff

SHS-5020.3

AMENDATORY SECTION (Amending WSR 16-14-058, filed 6/30/16, effective 8/1/16)

WAC 388-101D-0295 Medication services—General. (1) If the service provider (~~is involved in assisting any~~) supports a client with ((medications)) a prescribed or over-the-counter medication, as identified in the client's ((individual support)) person-centered service plan, the service provider must do all of the following:

(a) Have systems in place to ensure that medications are given as ordered and in a manner that safeguards the client's health and safety(~~(†)~~).

(b) Ensure that each client receives their medication as prescribed, except as provided for in the medication refusal section or in the medication assistance section regarding altering medication(~~(† and)~~).

~~(c) ((Have a legible prescription label completed by a licensed pharmacy before providing medication assistance or medication administration to a client for prescribed medications.))~~ Ensure each medication has a legible:

(i) Pharmacist-prepared label; or

(ii) Manufacturer label with the name of the client for whom the medication is prescribed added to the container.

(2) Group homes licensed as an assisted living facility or adult family home must meet the medication management requirements of chapter 388-78A or 388-76 WAC. For any difference in requirements the assisted living facility or adult family home medication rules take precedence over the medication rules of this chapter.

AMENDATORY SECTION (Amending WSR 16-14-058, filed 6/30/16, effective 8/1/16)

WAC 388-101D-0330 Storage of medications. (1) The service provider must keep a client's medications so they are not readily available to other clients.

(2) The service provider must store medications:

(a) Under proper conditions for sanitation, temperature, moisture, and ventilation, and separate from food or toxic chemicals; and

(b) In the original medication (~~(containers)~~) container with a pharmacist-prepared label, a (~~(or)~~) manufacturer's label in accordance with WAC 388-101D-0295, or in a medication (~~(organizers which are)~~) organizer clearly labeled with the:

(i) Name of the client for whom the medication is prescribed;

(ii) Name of (~~(the medications)~~) each medication; (~~(and)~~)

(iii) (~~(Dosage and)~~) Medication dose and frequency(~~(-)~~) to be given; and

(iv) Route each medication is to be administered.

(3) Group homes must:

(a) Keep all medications in locked storage; and

(b) Use medication organizers only when filled by a pharmacist.