

**WSR 24-18-103**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Developmental Disabilities Administration)  
[Filed September 3, 2024, 12:46 p.m.]

Subject of Possible Rule Making: New chapter 388-842 WAC, sections from chapters 388-825, 388-828, and 388-845 WAC, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030 and 71A.12.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The developmental disabilities administration (DDA) is planning to amend sections from chapters 388-825, 388-828, and 388-845 WAC to align with home and community-based services (HCBS) waiver amendments approved by the Centers for Medicare and Medicaid Services (CMS). Some of these amendments, as well as new chapter 388-842 WAC, are necessary to implement RCW 71A.12.380, which directs DSHS to seek waiver-enrollment eligibility approval from CMS for individuals under RCW 71A.12.370. During the course of this review, the department of social and health services (DSHS) may make additional changes that are necessary to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

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 Chantelle Diaz, DDA, 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.

September 3, 2024  
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Rules Coordinator