

WSR 21-04-131

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed February 2, 2021, 11:12 a.m., effective March 5, 2021]

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

Purpose: The department is amending WAC 388-76-10695 and 388-76-10730 to update an adoption by reference in chapter 388-76 WAC. This is a technical correction after WAC 51-51-0325 was moved to WAC 51-51-0330 in July 2020. This is a numbering change only. There is no policy change associated with this update.

Citation of Rules Affected by this Order: Amending WAC 388-76-10695 and 388-76-10730.

Statutory Authority for Adoption: RCW 70.128.040.

Adopted under notice filed as WSR 20-22-100 on November 3, 2020.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.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: February 2, 2021.

Katherine I. Vasquez
Rules Coordinator

SHS-4837.2

AMENDATORY SECTION (Amending WSR 07-21-080, filed 10/16/07, effective 1/1/08)

WAC 388-76-10695 Building codes—Structural requirements. (1)

For single family dwellings used as an adult family home after July 1, 2007, the home must ensure the building meets the requirements of WAC ((51-51-0325 Section R325)) 51-51-0330 if the building is:

(a) New; or

(b) An existing building converted for use as an adult family home.

(2) For buildings licensed as a home before July 1, 2007, the requirement of subsection (1) of this section does not apply if:

(a) The building sells or transfers to a new owner; and

(b) The new owner takes possession of the building before the issuance of the license.

(3) The home must ensure that every area used by residents:

- (a) Has direct access to at least one exit which does not pass through other areas such as a room or garage subject to being locked or blocked from the opposite side; and
- (b) Is not accessible only by or with the use of a:
 - (i) Ladder;
 - (ii) Folding stairs; or
 - (iii) Trap door.

[Statutory Authority: RCW 70.128.040 and chapters 70.128 and 74.34 RCW. WSR 07-21-080, § 388-76-10695, filed 10/16/07, effective 1/1/08.]

AMENDATORY SECTION (Amending WSR 16-20-095, filed 10/4/16, effective 11/4/16)

- WAC 388-76-10730 Grab bars and hand rails.** (1) Homes licensed before November 1, 2016, must have at a minimum securely installed:
- (a) Grab bars in bathing facilities such as tubs and showers;
 - (b) Grab bars next to toilets, if needed by any resident;
 - (c) Handrails on a step or steps if needed by any resident; and
 - (d) Handrails on ramps if needed by any resident.
- (2) Homes licensed and bathroom additions that occur after November 1, 2016, must install grab bars securely fastened in accordance with WAC ((~~51-51-0325~~) 51-51-0330) at the following locations:
- (a) Bathing facilities such as tubs and showers; and
 - (b) Each side of any toilet used by residents.
- (3) Homes licensed after November 1, 2016, must install handrails on each side of the following:
- (a) Step or steps; and
 - (b) Ramps used by residents.

[Statutory Authority: Chapter 70.128 RCW. WSR 16-20-095, § 388-76-10730, filed 10/4/16, effective 11/4/16. Statutory Authority: RCW 70.128.040 and chapters 70.128 and 74.34 RCW. WSR 07-21-080, § 388-76-10730, filed 10/16/07, effective 1/1/08.]