

WSR 25-08-021

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed March 25, 2025, 8:45 a.m., effective April 25, 2025]

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

Purpose: The purpose of these adopted rules is to amend WAC 388-101-3020 Compliance; and add new WAC 388-101-30201 Infection control, as necessary to provide clear language in regard to certified community residential services and supports (CCRSS) compliance and infection control practices. Developing clear language around infection control and compliance requirements will help CCRSS providers comply with the rule and promote safety of clients and residents living in supported living homes, group homes, and group training homes.

Citation of Rules Affected by this Order: New WAC 388-101-30201; and amending WAC 388-101-3020.

Statutory Authority for Adoption: RCW 71A.12.030.

Other Authority: RCW 71A.26.040.

Adopted under notice filed as WSR 25-04-078 on January 31, 2025.

A final cost-benefit analysis is available by contacting Debbie Hoeman, P.O. Box 45600, Olympia, WA 98504, phone 360-764-6632, TTY 711 relay service, email Debra.Hoeman@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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 1, Repealed 0.

Date Adopted: March 25, 2025.

Katherine I. Vasquez
Rules Coordinator

SHS-5067.1

AMENDATORY SECTION (Amending WSR 22-06-008, filed 2/18/22, effective 3/21/22)

WAC 388-101-3020 Compliance. The service provider must (~~be in compliance~~) comply with:

(1) All the requirements of this chapter and chapter 388-101D WAC, except that the licensing requirements for adult family homes and assisted living facilities supersede these chapters if the requirements under respective chapters 388-76 and 388-78A WAC conflict with these chapters;

(2) The laws governing this chapter, including chapter 71A.12, 71A.22, and 71A.26 RCW;

(3) The requirements of chapter 74.34 RCW;

(4) The department's residential services contract (~~(. Except)~~), except that, the requirements of this chapter supersede any conflicting requirements with the contract, or appendices to the contract; and

(5) Other relevant federal, state, county, tribal, territorial, (~~and~~) local (~~laws~~), and municipal statutes, rules, codes, requirements, and ordinances.

NEW SECTION

WAC 388-101-30201 Infection control. (1) To manage infection control the service provider must:

(a) Comply with nationally recognized infection control standards when providing client care and supports;

(b) Develop and implement sufficient procedures to identify, prevent, and control infections caused by communicable disease; and

(c) Provide staff with the necessary training, supplies, equipment, and protective clothing for preventing and controlling the spread of infections.

(2) Whenever an outbreak of suspected food poisoning or communicable disease occurs, the provider must:

(a) Follow local health jurisdiction directions and recommendations pertaining to infection control and prevention including measures to control, mitigate, and manage communicable disease outbreaks; and

(b) Restrict a staff person's contact with clients when the staff person has a known communicable condition in the infectious stage that is likely to be spread by casual contact.