

WSR 25-08-030
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed March 26, 2025, 9:56 a.m.]

Subject of Possible Rule Making: WAC 388-106-0274 Are there limits to the assistive technology I may receive? Subsection (1)(c) Subscriptions, data plan charges, and ongoing recurring fees, and other related rules as may be needed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.520, and 74.39A.400; and 42 C.F.R. 441.500-590.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule describes limitations and exclusions for the community first choice (CFC) assistive technology (AT) benefit. Currently, subsection (1)(c) of the rule lists ongoing recurring fees such as those charged by AT providers for use of equipment or provision of services from the AT benefit under the CFC program as an exclusion. The department of social and health services (department) proposes removing this restriction which will allow for increased access to a wider range of eligible assistive devices/services, some of which may have an ongoing recurring fee, for a client on the CFC program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The aging and long-term support administration (AL TSA) and the developmental disabilities administration (DDA) have and will coordinate during this rule-making process.

Process for Developing New Rule: The department invites the interested public to review and provide input on the draft language of this rule. Draft material and information about how to participate may be obtained from the department representatives listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Victoria Nuesca, CFC Program Manager, AL TSA, P.O. Box 45600, Olympia, WA 98504-5600, phone 360-725-2393, TTY 711 relay service, email victoria.nuesca@dshs.wa.gov; or Sue Halle, CFC Program Manager, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone 360-407-1515, TTY 711 relay service, email suzan.halle@dshs.wa.gov.

March 25, 2025
Katherine I. Vasquez
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