

**WSR 25-10-008**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Aging and Long-Term Support Administration)  
(Residential Care Services)  
[Filed April 25, 2025, 9:05 a.m.]

Subject of Possible Rule Making: The department of social and health services (department) is considering amending the following sections in chapter 388-76 WAC: WAC 388-76-10125 License—May be denied, 388-76-10315 Resident record—Required, 388-76-10320 Resident record—Content, 388-76-10715 Doors—Ability to open, and 388-76-10930 Plan of correction (POC)—Required. This rule making may result in adopting new sections of rule. Updates to other related rules may be required. As needed, amendments will also make changes required to improve clarity, update policy, or better align rule language with state and federal law or regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.128.040; 45 C.F.R. § 1324.11 (e) (2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department received a petition requesting the department update the chapter to align with federal requirements for long-term care ombuds access to resident records. Other updates are needed to clarify when an adult family home license may be denied to a multiple home provider, to remove the requirement that the resident record contain the resident's Social Security number, to add a requirement to keep the notice of rights and services in the resident record, to add a minimum door width requirement, to require residential care services (RCS) approval of modifications or new construction of resident bedrooms occurring after licensure, and to clarify requirements for provider POC. These changes will maintain residents' rights and safety and give clarity that will help adult family home providers comply with the rules.

Process for Developing New Rule: Negotiated rule making; and collaborative rule making. The department invites the public to give input on the draft language for proposed rule changes. More information is available by contacting the RCS policy unit as provided below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Colleen Jensen, P.O. Box 45600, Olympia, WA 98504, phone 564-999-3182, fax 360-438-7903, TTY 711 relay service, email rcspolicy@dshs.wa.gov.

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