

## WSR 25-14-079

## PERMANENT RULES

## DEPARTMENT OF

## SOCIAL AND HEALTH SERVICES

(Division of Vocational Rehabilitation)

[Filed June 30, 2025, 12:11 p.m., effective July 31, 2025]

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

Purpose: This proposal amends existing rule to provide more information to interested parties regarding the process the division of vocational rehabilitation (DVR) uses to set rates for service fees and the cadence of these processes. The proposed rule making is necessary pursuant to a corrective action plan required by the Department of Education's Rehabilitation Services Administration for DVR to come into compliance with 34 C.F.R. 361, which is a condition of receiving federal vocational rehabilitation funding. DVR must align WAC with current practices and provide clarity to interested parties.

Citation of Rules Affected by this Order: Amending WAC 388-892-0500.

Statutory Authority for Adoption: RCW 43.20A.310(2), 74.29.020(3), and 74.29.080(8).

Adopted under notice filed as WSR 25-11-059 on May 16, 2025.

A final cost-benefit analysis is available by contacting Mari Heusman, DVR Policy and Strategies Manager, P.O. Box 45350, Olympia, WA 98504, phone 360-280-2044, TTY 711 relay service, email [dvrpolicy@dshs.wa.gov](mailto:dvrpolicy@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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 1, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: June 30, 2025.

Katherine I. Vasquez  
Rules Coordinator

**SHS-5076.3**

AMENDATORY SECTION (Amending WSR 03-19-075, filed 9/12/03, effective 10/13/03)

**WAC 388-892-0500 What is DVR's payment system for VR service contracts?** To establish reasonable reimbursement rates for vocational rehabilitation services while providing informed choice and access, DVR establishes fixed fees for VR contract services as follows:

(1) ((DVR identifies geographic VR service delivery areas based on economic cost of living data)) Every six years, or on an interval as announced, and with input received from the service providers, DVR will conduct a fee study to establish community rehabilitation program/independent living and preemployment transition services/transition rates for the services outlined in WAC 388-891A-0527, 388-891A-0705, 388-891A-0715, 388-891A-0725 through 388-891A-0732, 388-891A-0760 through 388-891A-0769.

(2) ((Every two years or on an interval as announced in the contract RFQ, with input received from the service providers, DVR will establish and publish a schedule of fixed payment fee for each contracted VR service)) As needed, DVR will establish and publish a schedule of fixed payment fees for each contracted VR service, which may include an increase, if the budget allows, based on the following:

(a) The percentage increase of the Consumer Price Index (CPI), CPI-U, U.S. city average, not seasonally adjusted, or successor index, as calculated by the U.S. department of labor or successor agency for the 12 months preceding the previous May 1; or

(b) Five percent, whichever is smaller, but in no event shall the fees or maximums be decreased.

(3) ((All VR service contractors, within each geographic VR service delivery area, are paid the fixed payment fee for each contracted VR service)) DVR will publish a schedule of the new fixed payment fee for each contracted VR service.

(4) All VR service contractors are paid the fixed payment fee for each contracted VR service.