

WSR 25-20-008
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Home and Community Living Administration)
[Filed September 18, 2025, 2:43 p.m.]

Subject of Possible Rule Making: The department of social and health services (DSHS) is considering amending WAC 388-106-1800 What definitions apply to LTSS PE?, 388-106-1805 Am I eligible for LTSS NFLOC PE services?, 388-106-1810 What services may I receive under LTSS NFLOC PE?, 388-106-1815 Am I eligible for LTSS MPC PE services?, and 388-106-1820 What services may I receive under LTSS MPC PE?; specifically, the rules related to the long-term services and supports (LTSS) presumptive eligibility; and other related rules as may be necessary. Other necessary changes and corrections related to grammar, numerical representation, consistency, and inclusive language may also be included.

For the purposes of this rule making, this means LTSS, nursing facility level of care, and presumptive eligibility (PE), which includes functional and financial assessments using the screening tool within comprehensive assessment reporting evaluation.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090 and 74.39A.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The reasons for supporting this proposal are to restructure the benefits a client may receive under PE based on client needs and to efficiently speed up service delivery by offering targeted services upon completion of PE screening, pending completion of the full PE assessment.

Process for Developing New Rule: Collaborative; DSHS welcomes the public to take part in developing these rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rhonda Widhalm, 4550 10th Avenue S.E., Lacey, WA 98503, phone 360-725-2525, fax 360-407-7582, TTY 360-493-2637, email rhonda.widhalm1@dshs.wa.gov.

September 18, 2025
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