

WSR 25-20-014
PERMANENT RULES
DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Home and Community Living Administration)

(Home and Community Services)

[Filed September 19, 2025, 9:09 a.m., effective October 20, 2025]

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

Purpose: The purpose of the adoption is to amend rules related to supportive housing programs that need to align with policies that have been updated through an administrative process, and to define the department of social and health services' (department) supportive housing program rules. Other necessary changes and corrections related to grammar, numerical representation, consistency, and inclusive language are included, and will clarify supportive housing programs standards and expectations. These changes are in response to ongoing program changes over time as approved by the department. The purpose of repealing administrative hearing rights under supportive housing is due to WAC 388-106-1760 being duplicative of WAC 388-106-1305. It is unclear to clients that these are the same right as they are receiving two notices. This will not repeal the client's right to administrative hearing, only clarify.

Citation of Rules Affected by this Order: Repealing WAC 388-106-1740 and 388-106-1760; and amending WAC 388-106-1700, 388-106-1705, 388-106-1720, and 388-106-1750.

Statutory Authority for Adoption: RCW 74.08.090, 74.08.283, and 74.08.390.

Adopted under notice filed as WSR 25-15-076 on July 15, 2025.

A final cost-benefit analysis is available by contacting Samantha Thurston, P.O. Box 45600, Olympia, WA 98504-5600, phone 564-200-2296, TTY 711 relay service, email Samantha.thurston1@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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 4, Repealed 2.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 19, 2025.

Katherine I. Vasquez
Rules Coordinator

SHS-5092.3

AMENDATORY SECTION (Amending WSR 17-11-016, filed 5/9/17, effective 6/9/17)

WAC 388-106-1700 What definitions apply to supportive housing?

The following definitions apply to WAC 388-106-1700 through 388-106-1765:

~~("Chronically homeless" means an individual who is homeless and lives in a place not meant for human habitation, a safe haven, or in an emergency shelter.~~

~~"PRISM" means predictive risk intelligence system and is a web-based clinical decision support application that features predictive modeling tools and data integration to support care management for high-risk medicaid clients.)~~

"Supportive housing tenant" is a person utilizing voluntary supportive services who is:

(1) Living in a stable community setting of their choosing including hotels/motels; or

(2) Entitled to occupy a dwelling unit primarily for living or dwelling purposes under a rental agreement pursuant to chapter 59.18 RCW.

AMENDATORY SECTION (Amending WSR 17-11-016, filed 5/9/17, effective 6/9/17)

WAC 388-106-1705 What services may I receive under supportive housing?

(1) The services you may receive under supportive housing include, but are not limited to, activities that assist you to:

- (a) Identify appropriate housing;
- (b) Prepare for and transition to housing;
- (c) Connect with direct and collateral services;
- (d) Maintain your housing; ~~((and))~~
- (e) Develop and maintain a positive relationship with your landlord and other tenants; and
- (f) Integrate into your community and support social inclusion.

(2) The services you receive will be identified in your assessment as defined in WAC 388-106-0010.

AMENDATORY SECTION (Amending WSR 18-08-002, filed 3/21/18, effective 4/21/18)

WAC 388-106-1720 Am I eligible for supportive housing funded services? You are eligible for supportive housing services if you meet the following criteria:

(1) Meet functional eligibility as defined in WAC 388-106-0210, 388-106-0277, 388-106-0310, 388-106-0338, or 388-106-1410;

(2) Meet financial eligibility as defined in chapters 182-513 and 182-515 WAC;

(3) Have a planned discharge or diversion from Eastern or Western State Hospital; or

~~(4) ((You meet one or more of the following criteria:~~

~~(a) Chronically homeless;~~

~~(b) History of frequent or lengthy institutional stays;~~

~~(c) History of frequent or lengthy adult residential care or treatment stays;~~

~~(d) Experienced frequent turnover of in-home caregivers or providers;~~

~~(e) A PRISM risk score of at least 1.5)) Meet foundational community supports program (FCS) supportive housing eligibility as defined by chapter 182-559 WAC.~~

AMENDATORY SECTION (Amending WSR 17-11-016, filed 5/9/17, effective 6/9/17)

WAC 388-106-1750 Are there limits to the supportive housing services I receive? There are limits to the supportive housing services you receive. Supportive housing services must not:

(1) Exceed the amount authorized by the department;

(2) Replace or duplicate existing services already available to you such as foundational community supports as defined in WAC

182-559-100 (~~or~~

~~(3) Include payment for rent, food, and utilities)).~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-106-1740 What are my rights when I receive supportive housing services in a setting owned by a service provider?

WAC 388-106-1760 Do I have the right to an administrative hearing regarding supportive housing services?