

**WSR 25-20-052**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Home and Community Living Administration)  
(Developmental Disabilities Community Services)  
[Filed September 25, 2025, 1:19 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 25-05-034.

Title of Rule and Other Identifying Information: Chapter 388-845 WAC; amending WAC 388-845-0113, 388-845-0210, 388-845-0215, 388-845-0220, 388-845-0225, 388-845-0230, 388-845-0820, 388-845-1150, 388-845-1870, 388-845-1880, 388-845-1890, 388-845-2005, 388-845-2205, and 388-845-2210.

Hearing Location(s): On November 25, 2025, at 10:00 a.m., virtually via Teams or call in. See the department of social and health services (DSHS) website at <https://www.dshs.wa.gov/sesa/rpau/proposed-rules-and-public-hearings> for the most current information.

Date of Intended Adoption: Not before November 26, 2025.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, email [DSHSRPAURulesCoordinator@dshs.wa.gov](mailto:DSHSRPAURulesCoordinator@dshs.wa.gov), beginning noon on October 22, 2025, by 5:00 p.m. on November 25, 2025.

Assistance for Persons with Disabilities: Contact Shelley Tencza, rules consultant, phone 360-664-6036, TTY 711 relay service, email [shelley.tencza@dshs.wa.gov](mailto:shelley.tencza@dshs.wa.gov), by 5:00 p.m. on November 11, 2025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Developmental disabilities community services (DDCS) is enacting these changes to implement changes to DDCS' home and community-based services waivers as approved by the Centers for Medicare and Medicaid Services (CMS). These amendments clarify waiver service definitions and service limit language across waivers.

Reasons Supporting Proposal: Under 42 C.F.R. 441.301, DDCS is required to provide assurances to CMS that it will provide waiver-funded services as approved by CMS. Aligning rules with the approved waiver amendments provides those assurances. These proposed changes are currently in effect by emergency rule filed under WSR 25-12-116.

Statutory Authority for Adoption: RCW 71A.12.030 and 42 C.F.R. 441.301.

Statute Being Implemented: RCW 71A.12.120.

Rule is necessary because of federal law, 42 C.F.R. 441.301.

Name of Proponent: DSHS, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Leila Graves, P.O. Box 45310, Olympia, WA 98504-5310, 360-890-2127.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Leila Graves, P.O. Box 45310, Olympia, WA 98504-5310, phone 360-890-2127, TTY 711 relay service, email [Leila.graves@dshs.wa.gov](mailto:Leila.graves@dshs.wa.gov).

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(4).

Scope of exemption for rule proposal:

Is fully exempt.

September 24, 2025  
Katherine I. Vasquez  
Rules Coordinator

**Reviser's note:** The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the [25-21](#) issue of the Register.