

WSR 25-22-022
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Home and Community Living Administration)
[Filed October 27, 2025, 10:20 a.m.]

Subject of Possible Rule Making: The department of social and health services (DSHS) is proposing to add new, repeal, and amend sections referencing background checks in WAC 388-06-0530, 388-71-0511, 388-113-0005, 388-113-0060, 388-113-0070, and 388-115-0511; and other related rules as may be required. If applicable, these amendments will make additional 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 18.88B.021, 43.20A.710, 43.43.832, 43.43.837, 43.43.842, 74.08.090, 74.09.520, 74.39A.056, 74.39A.074, 74.39A.270, 74.39A.326, 74.39A.505, 74.39A.515, and 74.39A.525.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The reasons for rules on this subject is due to federal and state session laws related to 2025 legislative session. These include: HB [ESHB] 1385 (chapter 60, Laws of 2025), HB [ESHB] 1395 (chapter 214, Laws of 2025), and HB [SHB] 1490 (chapter 46, Laws of 2025). Additional changes will be considered for clarifying the frequency of background checks, use of previously requested results, and renewals.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state patrol.

Process for Developing New Rule: Collaborative; DSHS welcomes the public to take part in developing the 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 Kim Averill, P.O. Box 45600, Olympia, WA 98504-5600, phone 360-725-3223, TTY 711 relay service, email kimberly.averill@dshs.wa.gov.

October 27, 2025
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