

WSR 25-22-107

EXPEDITED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Home and Community Living Administration)

[Filed November 5, 2025, 10:47 a.m.]

Title of Rule and Other Identifying Information: Resident protection program WAC repeal. The following WAC are no longer in use and are therefore being repealed. WAC 388-97-0660 Resident protection program definition, 388-97-0680 Investigation of mandated reports, 388-97-0700 Preliminary finding, 388-97-0720 Notice to individual of preliminary findings, 388-97-0725 Notice to others of preliminary findings, 388-97-0740 Disputing a preliminary finding, 388-97-0760 Hearing procedures to dispute preliminary finding, 388-97-0780 Finalizing the preliminary finding, 388-97-0800 Reporting final findings, 388-97-0820 Appeal of administrative law judge's initial order or finding, and 388-97-0840 Disclosure of investigative and finding information.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The responsibility for investigation of potential abuse, neglect, and/or exploitation allegations, against a nursing home resident by an individual, transitioned from residential care services (RCS) to adult protective services (APS). These investigations are now conducted by APS, in accordance with chapter 388-103 WAC, making RCS WAC 388-97-0660 through 388-97-0840 redundant.

Reasons Supporting Proposal: WAC 388-97-0660 through 388-97-0840 are no longer in use.

Statutory Authority for Adoption: RCW 34.05.353 (2) (d) and 74.42.620.

Statute Being Implemented: RCW 34.05.353 (2) (d).

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of social and health services, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: RCS, Jodi Lamoreaux, P.O. Box 45600, Olympia, WA 98504-5600, 360-464-0487.

This notice meets the following criteria to use the expedited repeal process for these rules:

Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: These investigations are now conducted by APS, in accordance with chapter 388-103 WAC.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Rules Coordinator, Department of Social and Health Services, P.O. Box 45850, Olympia, WA 98504, phone 360-664-6097, email DSHSRPAURulesCoordinator@dshs.wa.gov, BEGINNING noon on November 5, 2025, AND RECEIVED BY 5:00 p.m. on January 6, 2026.

November 5, 2025
Katherine I. Vasquez
Rules Coordinator

SHS-5108.1

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-97-0660	Resident protection program definition.
WAC 388-97-0680	Investigation of mandated reports.
WAC 388-97-0700	Preliminary finding.
WAC 388-97-0720	Notice to individual of preliminary findings.
WAC 388-97-0725	Notice to others of preliminary findings.
WAC 388-97-0740	Disputing a preliminary finding.
WAC 388-97-0760	Hearing procedures to dispute preliminary finding.
WAC 388-97-0780	Finalizing the preliminary finding.
WAC 388-97-0800	Reporting final findings.
WAC 388-97-0820	Appeal of administrative law judge's initial order or finding.
WAC 388-97-0840	Disclosure of investigative and finding information.