

WSR 25-23-012

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Home and Community Living Administration)

[Filed November 7, 2025, 8:37 a.m., effective December 8, 2025]

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

Purpose: The purpose of this rule making is to implement section 16 of ESSB 5291 (chapter 380, Laws of 2025) for a pilot project from January 1, 2026, through June 30, 2026. The rule establishes parameters for the pilot project, including participating locations, capacity limitations, approved services limitations, and other topics necessary for the pilot.

Citation of Rules Affected by this Order: New WAC 388-116-1020.

Statutory Authority for Adoption: RCW 50B.04.020 (3)(k).

Adopted under notice filed as WSR 25-20-083 on September 30, 2025.

A final cost-benefit analysis is available by contacting Arielle Finney, P.O. Box 45600, Olympia, WA 98504-5600, phone 360-764-0384, TTY 711 relay service, email Arielle.Finney2@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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 0.

Date Adopted: November 7, 2025.

Katherine I. Vasquez  
Rules Coordinator

**SHS-5109.2**

NEW SECTION

**WAC 388-116-1020 Pilot.** (1) The purpose of the pilot is for the department to assess administrative processes and system capabilities in preparation for implementation of the full program.

(2) The department will conduct a pilot from January 1, 2026, through June 30, 2026, for the benefits under this chapter.

(3) The department will accept up to 400 applications for benefits in order of receipt, based on the date of application. The department may accept additional applications if the department does not enroll a sufficient number of beneficiaries to obtain necessary data from the pilot.

(4) The department will accept applications for benefits from January 6, 2026, until March 31, 2026.

(5) Applicants and eligible beneficiaries must reside and receive services within Lewis, Mason, Spokane, or Thurston counties.

(6) Applicants and eligible beneficiaries may not be enrolled in apple health (medicaid) for the duration of the pilot.

(7) During the pilot, approved services do not include memory care or nursing home services.

(8) Benefit units used during the pilot are deducted from the beneficiary's lifetime benefit units.

(9) Pilot participants will remain enrolled as eligible beneficiaries after termination of the pilot and subject to all other sections of this chapter.

(10) Unless explicitly modified by a pilot rule in this chapter, all other sections of this chapter apply to the pilot.

(11) This section is effective through June 30, 2026.