

WSR 26-03-035
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Home and Community Living Administration)
[Filed January 14, 2026, 9:59 a.m.]

Subject of Possible Rule Making: The department of social and health services (DSHS) is considering amending WAC 388-116-1010, 388-116-3020, 388-116-3030, 388-116-3080, 388-116-4030, and 388-116-5030; and any additional rules as necessary. The amendments are intended to address adaptive equipment and technology, minimum qualifications for providers, signatories for background check requirements, exception to rule requests, payment of fees related to administrative hearings, and definitions related to financial management services vendors and reimbursement. Other related rules may be amended as necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50B.04.020 (3) (k).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule-making project is needed to expand allowable adaptive equipment and technology for beneficiaries of the WA Cares fund program, provide clarification for requirements for long-term services and supports providers, and [provide] clarification for participants of administrative hearings. DSHS will use this as an opportunity to make changes for clarity related to definitions.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Employment security department and health care authority. Coordination will occur between departments for consistent implementation of the WA Cares fund program under chapter 50B.04 RCW.

Process for Developing New Rule: 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 Arielle Finney, P.O. Box 45600, Olympia, WA 98504-5600, phone 360-764-0384, TTY 711 relay service, email Arielle.Finney2@dshs.wa.gov.

January 14, 2026
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