

WSR 26-04-104
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Home and Community Living Administration)
(Home and Community Services)
[Filed February 2, 2026, 3:49 p.m.]

Subject of Possible Rule Making: The department of social and health services (DSHS) is considering amending the following private duty nursing (PDN) WAC: WAC 388-106-1000 What is the intent of WAC 388-106-1000 through WAC 388-106-1055?, 388-106-1010 Am I eligible for medicaid-funded private duty nursing services?, 388-106-1025 Who can provide my PDN services?, 388-106-1030 Are there limitations or other requirements for PDN?, 388-106-1035 What requirements must a home health agency meet in order to provide and be paid for my PDN?, and 388-106-1040 What requirements must an RN, or LPN under the supervision of an RN, meet in order to provide and get paid for my PDN services?; and other related rules as may be necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090 and 74.09.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The reasons for this rule making are to amend PDN and update language consistent with current practice standards and contracting requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Health care authority and developmental disabilities community services.

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 Kaila O'Dell, PDN Program Manager, P.O. Box 45600, Olympia, WA 98504, phone 360-915-3396, TTY 711 relay service, email kaila.odell@dshs.wa.gov, website <https://www.dshs.wa.gov/altsa/private-duty-nursing>; or Susan Worthington, Medical Services Office Chief, P.O. Box 45600, Olympia, WA 98504, phone 360-725-2638, TTY 711 relay service, email susan.worthington@dshs.wa.gov.

February 2, 2026
Katherine I. Vasquez
Rules Coordinator