WSR 26-09-016
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Home and Community Living Administration)
[Filed April 2, 2026, 3:35 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 26-04-116.

Title of Rule and Other Identifying Information: WAC 388-116-4040 Transportation mileage reimbursement, and 388-116-4050 Financial management services vendor purchases on behalf of an eligible beneficiary.

Hearing Location(s): On May 26, 2026, at 10:00 a.m., virtually via Teams or call in. See the department of social and health services (DSHS) website at https://www.dshs.wa.gov/sesa/rpau/proposed-rules-and-public-hearings for the most current information.

Date of Intended Adoption: No earlier than May 27, 2026.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, email DSHSRPAURulesCoordinator@dshs.wa.gov, beginning noon on April 22, 2026, by 5:00 p.m. on May 26, 2026.

Assistance for Persons with Disabilities: Contact Shelley Tencza, rules consultant, phone 360-664-6036, TTY 711 relay service, email shelley.tencza@dshs.wa.gov, by 5:00 p.m. on May 5, 2026.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: DSHS proposes adding new rules to address two new services available through financial management services vendors: Transportation mileage reimbursement and purchases of adaptive equipment and technology. The two rules set requirements, provide direction, and outline limitations for transportation mileage reimbursement and purchases by a financial management services vendor for adaptive equipment and technology.

Reasons Supporting Proposal: The two rules provide additional options for eligible beneficiaries of WA Cares to use their benefits, especially for those in rural communities where service delivery may be limited.

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

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

Name of Proponent: DSHS, governmental.

Name of Agency Personnel Responsible for Drafting: Arielle Finney, P.O. Box 45600, Olympia, WA 98504-5600, 360-764-0384; Implementation and Enforcement: Katie Kelnhofer, P.O. Box 45600, Olympia, WA 98504-5600, 564-669-4440.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained 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.

Scope of exemption for rule proposal from Regulatory Fairness Act requirements:

Is not exempt.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. The proposed rules do not create cost for small businesses. The rules address the financial management services vendor

contracted by DSHS, eligible beneficiaries, and friends and family members who wish to receive reimbursement for transportation. Any cost that may be associated with these rules is minor.

A copy of the detailed cost calculations may be obtained 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.

March 26, 2026
Katherine I. Vasquez
Rules Coordinator

SHS-5133.2

NEW SECTION

WAC 388-116-4040 Transportation mileage reimbursement. (1) An eligible beneficiary may select a family member or friend to provide transportation for the beneficiary. The family member or friend may be reimbursed for miles traveled with the eligible beneficiary up to the maximum rate for transportation mileage outlined in WAC 388-116-4020.

(2) To request transportation mileage reimbursement, the eligible beneficiary must be enrolled with the financial management services vendor and follow their requirements for processing and issuing reimbursement.

(3) To be eligible to receive reimbursement for transportation mileage provided to an eligible beneficiary, the family member or friend must:

(a) Be over the age of 18; and

(b) Be enrolled with the financial management services vendor by providing:

(i) Proof of valid driver license;

(ii) Proof of current auto insurance; and

(iii) Proof of vehicle registration.

(4) To request transportation mileage reimbursement, the family member or friend must:

(a) Document the number of miles traveled with the eligible beneficiary and the date of service; and

(b) Submit the documentation to the financial management services vendor no more than 60 days after the date the transportation was provided.

(5) The family member or friend is not required to be a long-term services and supports provider under WAC 388-116-3010.

NEW SECTION

WAC 388-116-4050 Financial management services vendor purchases on behalf of an eligible beneficiary. (1) An eligible beneficiary may request the financial management services vendor purchase adaptive equipment and technology on their behalf.

(2) The financial management services vendor must:

(a) Only purchase allowable adaptive equipment and technology under WAC 388-116-1010; and

(b) Follow WAC 388-116-4020 for maximum rates for adaptive equipment and technology.

(3) The financial management services vendor must not purchase adaptive equipment and technology for a beneficiary using a consumer-to-consumer online platform.