WSR 26-18-035
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Home and Community Living Administration)
[Filed August 26, 2026, 2:30 p.m.]

Subject of Possible Rule Making: WAC 388-103-0001 What definitions apply to this chapter?, and 388-103-0210 May a nursing assistant petition the department to have their name removed from the vulnerable adult abuse registry?; and other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.34.068 and 74.34.165; 42 U.S.C. § 1396r (g)(1)(D); and 42 C.F.R. § 483.156 Registry of nurse aides.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESSB 5200 created a new definition for "medical foster homes" in RCW 70.128.030 and amended the definition of "facility" in RCW 74.34.020, which requires the department of social and health services (DSHS) to align the definitions in WAC 388-103-0001. DSHS also intends to repeal WAC 388-103-0210 because adult protective services will no longer be managing this process, as another division will now be managing this process. During this review, DSHS may identify additional related rules or additional changes that are required to improve clarity or remove ambiguity.

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 with the office of the code reviser a notice of proposed rule making. A copy of the proposal will be posted on DSHS's website and sent 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 Mandy Weeks-Green, P.O. Box 45600, Olympia, WA 98504, phone 360-725-3764, TTY 711 relay service, email mandy.weeksgreen@dshs.wa.gov.

August 26, 2026
Katherine I. Vasquez
Rules Coordinator