



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (August 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 24, 2017

TIME: 11:29 AM

WSR 17-22-037

Agency: Department of Social and Health Services, Aging and Long-Term Support Administration

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: The department is amending chapter 388-96 WAC in order to implement the nursing facility methodology changes from SHB 1274 found in Chapter 2, Laws of 2015, 2015 2nd Special Session, and SHB 2678, Chapter 131, Laws of 2016, 2016 Regular Session. This permanent rule filing cancels and supersedes the emergency filed as WSR 17-22-012 on October 19, 2017.

Citation of rules affected by this order:

New: WAC 388-96-915, WAC 388-96-916, WAC 388-96-917

Repealed: WAC 388-96-534, WAC 388-96-540, WAC 388-96-552, WAC 388-96-553, WAC 388-96-558, WAC 388-96-559, WAC 388-96-561, WAC 388-96-562, WAC 388-96-564, WAC 388-96-565, WAC 388-96-572, WAC 388-96-574, WAC 388-96-708, WAC 388-96-709, WAC 388-96-744, WAC 388-96-746, WAC 388-96-747, WAC 388-96-748, WAC 388-96-762, WAC 388-96-767, WAC 388-96-776, WAC 388-96-783, WAC 388-96-784, WAC 388-96-786

Amended: WAC 388-96-010, WAC 388-96-022, WAC 388-96-107, WAC 388-96-122, WAC 388-96-205, WAC 388-96-208, WAC 388-96-211, WAC 388-96-218, WAC 388-96-502, WAC 388-96-505, WAC 388-96-525, WAC 388-96-542, WAC 388-96-554, WAC 388-96-556, WAC 388-96-560, WAC 388-96-580, WAC 388-96-585, WAC 388-96-710, WAC 388-96-713, WAC 388-96-758, WAC 388-96-759, WAC 388-96-781, WAC 388-96-782, WAC 388-96-901

Suspended: None

Statutory authority for adoption: RCW 74.46.800, RCW 74.46.561(1)

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 17-08-070 on April 3, 2017 (date).

Describe any changes other than editing from proposed to adopted version: Updated licensed beds definition with a specific date for determining number of licensed beds, Joint Cost Allocation Disclosure (JCAD) requirement language was removed, language was added stating that expensed equipment needs a useful life of one year or more, restored references to goodwill, language regarding settlements was changed to address concerns, Capital Lease definition was restored.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: Elizabeth Pashley

Address: 4450 10th Ave SE, Lacey, WA 98503

Phone: 360-725-2447

Fax: 360-725-2641

TTY: 360-493-2637

Email: Elizabeth.Pashley@dshs.wa.gov

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	<u>3</u>	Amended	<u>24</u>	Repealed	<u>24</u>

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
-----	-----	---------	-----	----------	-----

The number of sections adopted in the agency's own initiative:

New	___	Amended	___	Repealed	___
-----	-----	---------	-----	----------	-----

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
-----	-----	---------	-----	----------	-----

The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	<u>3</u>	Amended	<u>24</u>	Repealed	<u>24</u>

Date adopted: October 20, 2017

Name: Cheryl Strange

Title: DSHS Secretary

Signature:

