



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

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

Permanent Rule Only

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:

This rule making corrects an error made under WSR 14-02-094 in which there is a reference to WAC 388-110-020. The correct WAC is 388-110-220.

Citation of existing rules affected by this order:

Repealed: None
 Amended: WAC 388-106-0033
 Suspended: None

Statutory authority for adoption: RCW 74.08.090; 74.09.520

Other authority : None

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 14-09-058 on April 16, 2014.
 Describe any changes other than editing from proposed to adopted version:
 None

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

Name: _____ phone () _____
 Address: _____ fax () _____
 e-mail _____

Date adopted: July 9, 2014

NAME (TYPE OR PRINT)
Katherine Vasquez

SIGNATURE

TITLE
DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 15, 2014

TIME: 3:37 PM

WSR 14-15-071

**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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

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

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____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

New	_____	Amended	<u>1</u>	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	1	Repealed	_____

WAC 388-106-0033 When may I receive services in a facility contracted to provide specialized dementia care services? (1) You may be eligible to receive services in a licensed assisted living facility that has a DSHS "enhanced adult residential care-specialized dementia care ("EARC-SDC)," which is defined in WAC (~~(388-110-020)~~)388-110-220. You may be eligible to receive EARC-SDC services in a licensed assisted living facility under the following circumstances:

- (a) You are enrolled in COPES, as defined in WAC 388-106-0015;
- (b) The department has received written or verbal confirmation from a health care practitioner that you have an irreversible dementia (such as Alzheimer's disease, multi-infarct or vascular dementia, Lewy body dementia, Pick's disease, alcohol-related dementia);
- (c) You are receiving services in an assisted living facility that has a current EARC-SDC contract, and you are living in the part of the facility that is covered by the contract;
- (d) The department has authorized you to receive EARC-SDC services in the assisted living facility; and
- (e) You are assessed by the comprehensive assessment reporting evaluation tool ("CARE") as having a cognitive performance score of 3 or above; and any one or more of the following:
 - (i) An unmet need for assistance with supervision, limited, extensive or total dependence with eating/drinking;
 - (ii) Inappropriate toileting/menses activities;
 - (iii) Rummages/takes others belongings;
 - (iv) Up at night when others are sleeping and requires intervention(s);
 - (v) Wanders/exit seeking;
 - (vi) Wanders/not exit seeking;
 - (vii) Has left home and gotten lost;
 - (viii) Spitting;
 - (ix) Disrobes in public;
 - (x) Eats non-edible substances;
 - (xi) Sexual acting out;
 - (xii) Delusions;
 - (xiii) Hallucinations;
 - (xiv) Assaultive;
 - (xv) Breaks, throws items;
 - (xvi) Combative during personal care;
 - (xvii) Easily irritable/agitated;
 - (xviii) Obsessive regarding health/body functions;
 - (xix) Repetitive movement/pacing;
 - (xx) Unrealistic fears or suspicions;
 - (xxi) Repetitive complaints/questions;
 - (xxii) Resistive to care;
 - (xxiii) Verbally abusive;
 - (xxiv) Yelling/screaming;
 - (xxv) Inappropriate verbal noises; or
 - (xxvi) Accuses others of stealing.