



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do **NOT** use for expedited rule making

**Agency:** Department of Social and Health Services, Developmental Disabilities Administration

**Subject of possible rule making:**

The department is proposing to amend Chapter 388-827 WAC "State Supplementary Payment Program" and other related rules as may be required.

**Statutes authorizing the agency to adopt rules on this subject:**

RCW 71A.12.030; RCW 71A.12.120; RCW 71A.12.140; RCW 74.39.010

**Reasons why rules on this subject may be needed and what they might accomplish:**

The Developmental Disabilities Administration (DDA) is amending chapter 388-827 WAC, State Supplementary Payment Program (SSP). These amendments will improve clarity and update policy. In accordance with ESSB 6052, Section 205, 64<sup>th</sup> Legislature (2015) and SSA-authorized State Plan Amendments, these amendments offer SSP to clients who received prevocational services as of September 1, 2015. A State Plan Amendment was authorized by the Social Security Administration which added Pre-Vocational Legacy as an SSP payment. In order to keep in compliance with the State Plan, these rules are being updated. In addition, the federal government requires that the department meet the SSP maintenance of effort (MOE). These rule changes are necessary to meet MOE and to prevent risk of losing federal funding by jeopardizing the Medicaid Program.

Prevocational services do not meet the CMS federal requirements as an integrated setting. SSP Pre-Vocational Legacy will allow DDA clients to transition from prevocational services, which do not meet CMS requirements to access services, in an integrated setting. SSP Pre-Vocational Legacy may be used to purchase needed services, such as respite, and other community services. Amendments help the welfare of individuals transitioning from Prevocational services to more integrated community services, and allow clients to more easily remain in the community setting, and less likely to enter into an institutional setting.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

N/A

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

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.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Contact:

Chantelle Diaz  
Developmental Disabilities Administration  
P.O. BOX 45310  
Olympia, WA 98504-5310  
Phone: (360) 407-1581 Fax: 360-407-0955 TTY: 1-800-833-6388  
E-mail: DiazCM1@dshs.wa.gov

**DATE**  
January 10, 2017

**NAME (TYPE OR PRINT)**  
Katherine Iyall Vasquez

**SIGNATURE**

**TITLE**  
DSHS Rules Coordinator

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**OFFICE OF THE CODE REVISER  
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**DATE: January 10, 2017**

**TIME: 2:50 PM**

**WSR 17-03-066**