



# 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, Behavioral Health Administration

**Subject of possible rule making**

The department is proposing to create new rules in title 388 WAC regarding the certification of secure withdrawal management facilities used for substance use disorder involuntary treatment. The department may need to amend other related rules as required.

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

RCW 71.05.560, RCW 71.05.760, RCW 71.24.035, RCW 71.24.037, RCW 71.34.380

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

The 2016 Legislature passed Enhanced Third Substitute House Bill (E3SHB) 1713 regarding integrating the treatment systems of mental health and substance use disorders, including the integration of substance use disorders, into the existing statute that addresses mental health involuntary treatment. The bill amends multiple aspects of chapters 71.05 and 71.34 RCW, adding substance use disorders to the existing processes for investigation, detention, involuntary treatment, ongoing assessment, court process, and commitment. Section 248 of the bill amends RCW 71.05.560 to authorize the Department of Social and Health Services to write rules to establish procedures and standards for secure detoxification (withdrawal management) facilities. The bill creates the new RCW 71.05.760 that directs the department and behavioral health organizations to develop a transition process and training for designated crisis responders who are authorized to carry out the functions identified in chapters 71.05 and 71.34 RCW (E3SHB 1713 §201). The department may need to amend other related rules as may be required as part of this project.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** Department of Health, the Health Care Authority, Superior Courts, and other government entities.

**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:

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**DATE**  
May 16, 2017

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

**SIGNATURE**  


**TITLE**  
DSHS Rules Coordinator

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