



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 considering amending WAC 388-823-1095 "What are my rights as a DDA client?" and other related rules as may be required.

Statutes authorizing the agency to adopt rules on this subject:

RCW 71A.12.030

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

The department is considering amending WAC 388-823-1095 and other related rules as may be required to update settings-based rights, and to align various WAC sections to a single list of client rights. Under 42 C.F.R. Section 441.301(c)(4)-(5), the Centers for Medicare and Medicaid Services (CMS) redefined home and community-based settings by the nature and quality of an individual's experiences. All of DDA's 1915(c) Medicaid waivers must comply with these settings-based requirements.

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

None

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

July 31, 2017

NAME (TYPE OR PRINT)

Katherine Vasquez

SIGNATURE

TITLE

DSHS Rules Coordinator

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