



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017)
(Implements RCW 34.05.310)

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STATE OF WASHINGTON
FILED

DATE: November 08, 2017

TIME: 11:44 AM

WSR 17-23-043

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

Subject of possible rule making: The department is proposing to add new sections, repeal existing sections, and amend existing sections in Chapter 388-76 WAC "Adult Family Home Minimum Licensing Requirements" including WAC 388-76-10005 "License—Required", WAC 388-76-10010 "License—Valid and not transferable", WAC 388-76-10015 "License—Adult family home—Compliance required", WAC 388-76-10020 "License—Ability to provide care and services", WAC 388-76-10025 "License annual fee", WAC 388-76-10030 "License capacity", WAC 388-76-10035 "License requirements—Multiple family home providers", WAC 388-76-10036 "License requirements—Multiple adult family home management", WAC 388-76-10037 "License requirements—Multiple adult family homes—Additional homes", WAC 388-76-10040 "License requirements—Qualified person must live-in or be on-site", WAC 388-76-10045 "Licensing—Certain state employees and employee household members—Prohibited", WAC 388-76-10050 "License—Relinquishment", WAC 388-76-10055 "Application—Generally", WAC 388-76-10057 "Application—General qualifications", WAC 388-76-10060 "Application—Department orientation class—Required", WAC 388-76-10063 "Application—General training requirements", WAC 388-76-10064 "Adult family home administrator training requirements", WAC 388-76-10065 "Application—Required information", WAC 388-76-10070 "Application—Fees required", WAC 388-76-10073 "Application—Processing fees required", WAC 388-76-10074 "Application—Waiver of fees", WAC 388-76-10075 "Application—Becomes void", WAC 388-76-10080 "Application—Coprovider", WAC 388-76-10085 "Application—Individual or coprovider", WAC 388-76-10090 "Application—Entity application", WAC 388-76-10095 "Application—Identification of landlord—Required", WAC 388-76-10100 "Application—Identification of landlord—Required", WAC 388-76-10105 "Application—Change of ownership", WAC 388-76-10106 "Change of ownership—Notice to department and residents", WAC 388-76-10107 "Priority processing—Change of ownership and relocation", WAC 388-76-10110 "Application—Change of location or address", WAC 388-76-10115 "Granting or denying a license—Generally", WAC 388-76-10120 "License—Must be denied", WAC 388-76-10125 "License—May be denied", WAC 388-76-10129 "Qualifications—Adult family home personnel", WAC 388-76-10130 "Qualifications—Provider, entity representative and resident manager", WAC 388-76-10135 "Qualifications—Caregiver", WAC 388-76-10140 "Qualifications—Students—Volunteers", WAC 388-76-10145 "Qualifications—Licensed nurse as provider, entity representative, or resident manager", WAC 388-76-10146 "Qualifications—Training and home care aide certification", WAC 388-76-10150 "Qualifications—Assessor", WAC 388-76-10191 "Liability insurance required", WAC 388-76-10192 "Liability insurance required—Commercial general liability insurance or business liability insurance coverage", WAC 388-76-10193 "Liability insurance required—Professional liability insurance coverage", WAC 388-76-10195 "Adult family home—Staff—Generally", WAC 388-76-10198 "Adult family home—Personnel records", WAC 388-76-10200 "Adult family home—Staff—Availability—Contact information", WAC 388-76-10205 "Medicaid or state funded residents", WAC 388-76-10210 "Resident relocation due to closure", WAC 388-76-10215 "Resident funds—Protection, liquidation or transfer", WAC 388-76-10220 "Incident log", WAC 388-76-10225 "Reporting requirement", WAC 388-76-10230 "Pets", WAC 388-76-10235 "Guardianship", WAC 388-76-10240 "Durable power of attorney for health care or financial decisions", WAC 388-76-10245 "Resident self-determination—Health care decision making", WAC 388-76-10250 "Medical emergencies—Contacting emergency medical services—Required", WAC 388-76-10255 "Infection control", WAC 388-76-10260 "Communicable disease—Preventing spread", WAC 388-76-10315 "Resident record—Required", WAC 388-76-10320 "Resident record—Content", WAC 388-76-10325 "Resident record—Legal documents—If available", WAC 388-76-10330 "Resident assessment", WAC 388-76-10335 "Resident assessment topics", WAC 388-76-10340 "Preliminary service plan", WAC 388-76-10345 "Assessment—Qualified assessor—Required", WAC 388-76-10350 "Assessment—Updates required", WAC 388-76-10355 "Negotiated care plan", WAC 388-76-10360 "Negotiated care plan—Timing of development—Required", WAC 388-76-10365 "Negotiated care plan—Implementation—Required", WAC 388-76-10370 "Negotiated care plan—Persons involved in development", WAC 388-76-10375 "Negotiated care plan—Signatures—Required", WAC 388-76-10380 "Negotiated care plan—Timing of reviews and revisions", WAC 388-76-10385 "Negotiated care plan—Copy to department case manager—Required", WAC 388-76-10390 "Admission and continuation of services", WAC 388-76-10395 "Emergency admissions", WAC 388-76-10400 "Care and services", WAC 388-76-10405 "Nursing care", WAC 388-76-10410 "Laundry services", WAC 388-76-10415 "Food services", WAC 388-76-10420 "Meals and snacks", WAC 388-76-10425 "Offsite food preparation", WAC 388-76-10430 "Medication system", WAC 388-76-10435 "Medication refusal", WAC 388-76-10440 "Medication—Assessment—Identification of amount of assistance needed when taking medications", WAC 388-76-10445 "Medication—Independent—Self-administration", WAC 388-76-10450 "Medication—Self-administration with assistance", WAC 388-76-10455 "Medication—Administration", WAC 388-76-10460 "Medication—Negotiated care plan", WAC 388-76-10463 "Medication—Psychopharmacologic", WAC 388-76-10465 "Medication—Altering—Requirements", WAC 388-76-10470 "Medication—Timing—Special directions", WAC 388-76-10475 "Medication—Log", WAC 388-76-10480 "Medication organizers", WAC 388-76-10485 "Medication storage", WAC 388-

76-10490 "Medication disposal—Written policy—Required", WAC 388-76-10495 "Specialty care—Designations", WAC 388-76-10500 "Granting specialty care designation—Requirements", WAC 388-76-10505 "Specialty care—Admitting and retaining residents", and other related rules as may be required.

Statutes authorizing the agency to adopt rules on this subject: Chapter 70.128 RCW

Reasons why rules on this subject may be needed and what they might accomplish: The department has worked collaboratively with external and internal stakeholders to plan revisions to chapter 388-76 WAC in order to protect the health and safety of residents in adult family homes, clarify rule language as requested by adult family home business owners, department staff, and those affiliated with adult family homes, as well as to update rule language to reflect current issues identified by adult family home business owners, individuals affiliated with the adult family home business, and department staff.

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.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

(If necessary)

Name: Sherise Baltazar, Adult Family Home Policy Program Manager

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Other:

Other:

Additional comments:

Date: November 8, 2017

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:

