



PREPROPOSAL STATEMENT OF INQUIRY

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

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: March 07, 2018

TIME: 9:25 AM

WSR 18-06-102

Agency: Department of Social and Health Services, Behavioral Health Administration

Subject of possible rule making: The department is planning to amend chapter 388-875 WAC "Criminally insane person committed to the care of the department of social and health services – evaluation, placement, care and discharge" and other related rules as may be required.

Statutes authorizing the agency to adopt rules on this subject: Chapter 10.77 RCW, RCW 72.01.090, RCW 70.02.290, RCW 70.02.340, RCW 71.05.560, RCW 71.24.035(5)(c), RCW 71.34.380

Reasons why rules on this subject may be needed and what they might accomplish: Many of these rules have not been updated since 2000. The department intends to bring this chapter up to date by clarifying rule language and ensuring that these rules are consistent with statute, other rules, any forthcoming legislation, and with current department organization and procedures. Specifically, the department intends to update outdated terms such as "mental health division", revise the rules to more clearly reflect the changes that have occurred since the implementation of 2E2SSB 5177 (Chapter 7, Laws of 2015) including clarification of maximum payment for forensic evaluation in WAC 388-875-0040, and clarify the role and function of the Office of Forensic Mental Health Services.

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.

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

Name: Jason Karpen
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Web site: <https://www.dshs.wa.gov/bha/office-service-integration/office-forensic-mental-health-services>
Other:

(If necessary)

Name:
Address:
Phone:
Fax:
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Email:
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Other:

Additional comments:

Date: March 5, 2018

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:

