



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: July 25, 2018

TIME: 1:24 PM

WSR 18-16-043

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

Subject of possible rule making: The department is planning to amend sections within chapter 388-825 WAC and chapter 388-101D WAC, 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 43.43.842, RCW 74.39A.056, RCW 43.20A.710, RCW 43.43.837

Reasons why rules on this subject may be needed and what they might accomplish: The Developmental Disabilities Administration (DDA) is planning to amend rules that were recently recodified in chapter 388-101D WAC from chapter 388-101 WAC in order to correct cross references and align with amendments to chapter 388-825 WAC. Other planned amendments to chapter 388-825 WAC and chapter 388-101D WAC will clarify and consolidate rules related to background checks, disqualifying convictions and negative actions, and character, competence, and suitability (CC&S) determinations. DDA is also planning to add requirements for background checks at residential habilitation centers. The changes will clarify language and help preserve the health and safety of clients.

During the course of this review, DDA may identify additional changes that are necessary to improve clarity and update policy.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: DDA and the Aging and Long-Term Support Administration (AL TSA) will collaborate and coordinate with the DSHS Background Check Central Unit (BCCU) to consolidate and coordinate rules related to negative actions and Character, Competence, and Suitability Reviews under chapters 388-71, 388-76, 388-78A, 388-97, 388-101, 388-106, and 388-825 WAC.

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 rulemaking. 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:

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 Other:

(If necessary)

Name:
 Address:
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 Other:

Additional comments:

Date: July 24, 2018	Signature: 
Name: Katherine I. Vasquez	
Title: DSHS Rules Coordinator	