



PREPROPOSAL STATEMENT OF INQUIRY

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

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WSR 19-03-148

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

Subject of possible rule making: The department is considering amending chapter 388-76 WAC "Adult Family Home Minimum Licensing Requirements", including WAC 388-76-10510 "Resident rights—Basic rights", WAC 388-76-10515 "Resident rights—Exercise of rights", WAC 388-76-10520 "Resident rights—General notice", WAC 388-76-10522 "Resident rights—Notice—Policy on accepting medicaid as a payment source", WAC 388-76-10525 "Resident rights—Description", WAC 388-76-10530 "Resident rights—Notice of services", WAC 388-76-10532 "Resident rights—Standardized disclosure of services form", WAC 388-76-10540 "Resident rights—Disclosure of fees and charges—Notice requirements—Deposits", WAC 388-76-10545 "Resident rights—Admitting and keeping residents", WAC 388-76-10555 "Resident rights—Financial affairs", WAC 388-76-10560 "Resident rights—Adult family home management of resident financial affairs", WAC 388-76-10561 "Resident rights—Resident security deposit account", WAC 388-76-10565 "Resident rights—Adult family home system for management of resident financial affairs", WAC 388-76-10585 "Resident rights—Examination of inspection results", WAC 388-76-10600 "Resident rights—Mail and telephone privacy", WAC 388-76-10615 "Resident rights—Transfer and discharge", WAC 388-76-10685 "Bedrooms", WAC 388-76-10695 "Building codes—Structural requirements", WAC 388-76-10700 "Building official—Inspection and approval", WAC 388-76-10710 "Construction and remodeling—Relocation of residents", WAC 388-76-10720 "Electronic monitoring equipment—Audio monitoring and video monitoring", WAC 388-76-10735 "Kitchen facilities", WAC 388-76-10750 "Safety and maintenance", WAC 388-76-10765 "Storage", WAC 388-76-10770 "Telephones", WAC 388-76-10784 "Water hazards—Fences, gates and alarms", WAC 388-76-10795 "Windows", WAC 388-76-10800 "Adult family home located outside of public fire protection", WAC 388-76-10805 "Automatic smoke detectors", WAC 388-76-10810 "Fire extinguishers", WAC 388-76-10830 "Emergency and disaster plan—Required", WAC 388-76-10835 "Elements of an emergency and disaster plan", WAC 388-76-10840 "Emergency food supply", WAC 388-76-10850 "Emergency medical supplies", WAC 388-76-10870 "Resident evacuation capability levels—Identification required", WAC 388-76-10885 "Elements of emergency evacuation floor plan", WAC 388-76-10890 "Posting the emergency evacuation floor plan—Required", WAC 388-76-10895 "Emergency evacuation drills—Frequency and participation", WAC 388-76-10900 "Documentation of emergency evacuation drills—Required", WAC 388-76-10905 "Emergency evacuation—Notification of department required", and other related rules as may be required. The department may also develop new rule sections related to discharge and transfer notice and compliance with 42 CFR 441.302.

Statutes authorizing the agency to adopt rules on this subject: RCW 70.128.040, RCW 70.128.060

Reasons why rules on this subject may be needed and what they might accomplish: The department has worked collaboratively with external and internal stakeholders in the revisions to chapter 388-76 WAC to accomplish the following: to protect the health and safety of residents in adult family homes; clarify language as requested by adult family home business owners, department staff, and those affiliated with adult family homes; as well as, updating 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: None

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

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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Additional comments:

Date: January 22, 2019

Name: Katherine I. Vasquez

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Signature:

