



# RULE-MAKING ORDER

**CR-103P (May 2009)**  
(Implements RCW 34.05.360)

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

**Permanent Rule Only**

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes
  - No
- If Yes, explain:

**Purpose:**

The department is amending and adding new sections to chapter 388-106 WAC, the Volunteer Chore program, as it was changed to Volunteer Services per Engrossed Substitute Senate Bill 6444 (Supplemental Operating Budget). The intent in the name change was to broaden the types of assistance available to eligible clients. Current rules limit services to a traditional list of core-type services. Without revised rules, volunteers supervised by contracted agencies managing the program are unable to provide support services in keeping with the intent of ESSB 6444.

**Citation of existing rules affected by this order:**

Repealed: None  
 Amended: WAC 388-106-0650 and WAC 388-106-0655  
 Suspended: None

**Statutory authority for adoption:** RCW 74.08.090; RCW 74.09.520

**Other authority :** N/A

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 15-04-074 on January 30, 2015.  
Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting: N/A

Name: \_\_\_\_\_ phone ( ) \_\_\_\_\_  
 Address: \_\_\_\_\_ fax ( ) \_\_\_\_\_  
 e-mail \_\_\_\_\_

**Date adopted:**

March 12, 2015

**NAME (TYPE OR PRINT)**

Katherine Vasquez

**SIGNATURE**

**TITLE**

DSHS Rules Coordinator

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: March 17, 2015**

**TIME: 8:49 AM**

**WSR 15-07-074**

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	<u>4</u>	Amended	<u>2</u>	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	<u>4</u>	Amended	<u>2</u>	Repealed	_____

AMENDATORY SECTION (Amending WSR 05-11-082, filed 5/17/05, effective 6/17/05)

**WAC 388-106-0650** ~~What ((services may I receive under)) is the volunteer ((chore)) services program?~~ The ((V))volunteer ((chore)) services program is a state-funded program ((which)) that provides volunteer assistance ~~((with household tasks and:~~

~~(1) Assists people who need but are not eligible for DSHS services.~~

~~(2) Complements DSHS services by using volunteer assistance to perform tasks which do not require specially skilled personnel.~~

~~(3) Provides assistance with housework, laundry, shopping, cooking, moving, minor home repair, yard care, limited personal care, monitoring and transportation))~~ to eligible persons who need help to live safely in the community. The availability of services under this program is subject to available funding and volunteer resources. Further, when allocating volunteer services, the needs of persons who have traditionally been served through long-term care services and supports, including older adults, individuals with disabilities or their unpaid caregivers, will be given priority.

AMENDATORY SECTION (Amending WSR 05-11-082, filed 5/17/05, effective 6/17/05)

**WAC 388-106-0655** Am I eligible to receive assistance through volunteer ((chore)) services? You may be eligible to receive volunteer ((chore)) services if you are:

~~(1) An older adult age sixty or older or a person with a disability ((E))~~eighteen years of age or older; or

~~(2) Living at home, unless you are moving from a residential facility to home and need assistance moving; or~~

~~(3) Unable to perform certain ((personal care))~~ independent living tasks due to a functional, mental or cognitive ((impairment)) disability;

~~(4) Financially unable to purchase services ((from a private provider))~~ privately; or

~~(5) Not receiving medicaid paid long-term care services under ((COPES, MNIW, MPC, or chore because you:~~

~~(a) Do not meet the eligibility requirements; or~~

~~(b) Decline these services.)~~ the medicaid state plan or medicaid waiver program unless the volunteer service is not available through the state plan waiver program; or

~~(6) ((In need of assistance from volunteer chore in addition to or in substitution of paid services under COPES, MNIW, MPC, or chore))~~ An unpaid caregiver who provides ongoing care for an older adult or person with a disability, including minors, who meets any of the criteria in WAC 388-106-0655(2) through (5) above.

NEW SECTION

**WAC 388-106-0660 What types of services may be offered through volunteer services?** The types of services an individual may be offered include, but are not limited to:

- (1) Housework and laundry;
- (2) Shopping and errands;
- (3) Meal preparation;
- (4) Minor home repair;
- (5) Yard work;
- (6) Provision of wood for heating;
- (7) Pet care;
- (8) Auto maintenance;
- (9) Moving;
- (10) Limited personal care;
- (11) Socialization activities to improve quality of life;
- (12) Electronic device/computer use;
- (13) Clerical & budgeting tasks;
- (14) Transportation
- (15) Emergency preparation;
- (16) Companionship or Supervision;
- (17) Access to benefits;
- (18) Access to employment opportunities; and
- (19) Health and nutrition enhancement.

NEW SECTION

**WAC 388-106-0665 How are volunteers qualified to provide volunteer services?** Volunteers are qualified to provide Volunteer Services through the following mechanisms:

- (1) Volunteers who will have unsupervised access to vulnerable adults cannot have any convictions, pending crimes or findings that are listed in WAC 388-71-0105 or provide contracted services per RCW 43.20A0710(1)(c) prior to working alone with them.
- (2) The volunteer services contractor(s) will provide orientation and ongoing training as needed to volunteers.

NEW SECTION

**WAC 388-106-0670 When may volunteer services not be available or offered?** Volunteer services may not be available or offered when:

- (1) Available funding has been exhausted; or
- (2) The regional area does not have qualified volunteers available; or
- (3) Existing volunteers do not have the skill set needed to perform the task/service desired; or
- (4) A volunteer stops providing services at their discretion; or
- (5) Providing the service would cause a health or safety risk to the volunteer or staff.

NEW SECTION

**WAC 388-106-0675 What if I disagree with a decision made by the contracted volunteer services provider(s) related to volunteer services?** If you do not agree with a decision made by the volunteer services contractor, you may make a written complaint with the volunteer services program manager at the aging and long term support administration, P. O. Box 45600, Olympia, WA 98504-5600. You are not entitled to a hearing under Chapter 388-02 WAC.