



# RULE-MAKING ORDER PERMANENT RULE ONLY

## CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: March 19, 2018

TIME: 9:33 AM

WSR 18-07-073

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

**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 creating new sections in a new chapter 388-829B WAC "Enhanced Case Management Program" to implement Senate Bill 6564 (2016) and establish DDA's Enhanced Case Management Program.

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

New: WAC 388-829B-100, WAC 388-829B-200, WAC 388-829B-300, WAC 388-829B-400, WAC 388-829B-500

Repealed: None

Amended: None

Suspended: None

**Statutory authority for adoption:** RCW 71A.12.030

**Other authority:** Chapter 71A.12 RCW, Chapter 43.382 RCW

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

Adopted under notice filed as WSR 18-02-095 on January 3, 2018 (date).

Describe any changes other than editing from proposed to adopted version:

(1) DDA removed the phrase "up to seven hundred" from WAC 388-829B-100 because Senate Bill 6564 does not state a maximum number of clients who may be enrolled in the program, and states instead the program is limited to "funds appropriated for this purpose."

(2) DDA replaced "node" in WAC 388-829B-400(3) with "section in the comprehensive assessment reporting and evaluation (CARE) tool" to clarify language and replace systems-based jargon.

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

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**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:**

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	<u>5</u>	Amended	___	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 on 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:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	<u>5</u>	Amended	___	Repealed	___

**Date Adopted:** March 16, 2018

**Name:** Cheryl Strange

**Title:** DSHS Secretary

**Signature:**



**Chapter 388-829B WAC  
ENHANCED CASE MANAGEMENT PROGRAM**

NEW SECTION

**WAC 388-829B-100 What is the enhanced case management program?**

The enhanced case management program is a program that facilitates client integration, improves quality of care, and promotes a safe home environment. Funds appropriated for the enhanced case management program support clients through increased:

- (1) Access to a case manager;
- (2) Access to education and resources; and
- (3) Frequency of home visits.

NEW SECTION

**WAC 388-829B-200 What definitions apply to this chapter?** The following definitions apply to this chapter.

**"CARE assessment"** means an inventory and evaluation of a client's strengths and limitations based on an in-person interview in the client's home or place of residence.

**"Caregiver"** means a person contracted with the developmental disabilities administration (DDA) to provide medicaid or waiver personal care, respite care, or attendant care services.

**"Client"** means a person who has a developmental disability as defined in RCW 71A.10.020(5) and has been determined eligible to receive services by DDA under chapter 71A.16 RCW.

**"Collateral contact"** means a person or agency that is involved in the client's life, such as a legal guardian, family member, provider, or friend.

**"Independent supports"** means an adult, other than the client's paid caregiver, who observes the care a client receives from their paid caregiver.

NEW SECTION

**WAC 388-829B-300 Who may DDA enroll in the enhanced case management program?** The developmental disabilities administration (DDA) may enroll a client in the enhanced case management program if the client is largely dependent on a paid caregiver in the client's home and:

- (1) The client's CARE assessment indicates the client:
  - (a) Is not always able to supervise their caregiver;
  - (b) Has communication barriers and few documented collateral contacts; and
  - (c) Lacks additional, independent supports that regularly help the client monitor the care being provided in their home; or
- (2) The client lives with the paid caregiver and:

- (a) The client has been the subject of an adult protective services or child protective services referral in the past year; or
- (b) DDA has concerns that the home environment or quality of care may jeopardize the client's health or safety.

NEW SECTION

**WAC 388-829B-400 How often must the case manager visit the enhanced case management program client?** (1) The client's case manager must visit each enhanced case management program client at least once every four months at the client's home, including unannounced visits as needed. Each required visit must not occur more than four months apart.

(2) An unannounced visit may replace a scheduled visit.

(3) If a client declines a visit, announced or unannounced, the case manager must document the declined visit in the enhanced case management program section in the comprehensive assessment reporting and evaluation (CARE) tool.

(4) If the case manager is unable to meet with the client for a required visit, the case manager must schedule a follow-up visit as soon as possible and no later than thirty days.

NEW SECTION

**WAC 388-829B-500 When will I transfer off of the enhanced case management program?** If you no longer meet eligibility criteria for the enhanced case management program under WAC 388-829B-300, DDA will disenroll you from the program.