



EXPEDITED RULE MAKING

CR-105 (December 2017) (Implements RCW 34.05.353)

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STATE OF WASHINGTON
FILED

DATE: June 20, 2018

TIME: 3:39 PM

WSR 18-14-003

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

Title of rule and other identifying information: (describe subject) The department is proposing to amend WAC 388-106-1920, "What is the maximum amount of step three services I may receive a month?".

Purpose of the proposal and its anticipated effects, including any changes in existing rules: In WAC 388-106-1920(1)(a), the department incorrectly used three thousand three hundred and forty-five dollars instead of three thousand three hundred and forty-eight dollars (6 months x \$558).

Reasons supporting proposal: The proposed amendment is needed for housekeeping purposes only.

Statutory authority for adoption: RCW 74.08.090

Statute being implemented: RCW 74.08.090

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

Name of proponent: (person or organization) Department of Social and Health Services

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Debbie Johnson	P.O. Box 45600, Olympia, WA 98504-5600	360-725-2531
Implementation:	Debbie Johnson	P.O. Box 45600, Olympia, WA 98504-5600	360-725-2531
Enforcement:	Debbie Johnson	P.O. Box 45600, Olympia, WA 98504-5600	360-725-2531

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4): The proposed amendment corrects a typographical error without changing the effect of the rule.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: DSHS Rules Coordinator

Agency: Department of Social and Health Services

Address: PO Box 45850
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Phone: 360-664-6097

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Other:

AND RECEIVED BY (date) 5:00 p.m. September 4, 2018

Date: June 19, 2018

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



WAC 388-106-1920 What is the maximum amount of step three services I may receive a month? (1) Unless the department authorizes additional funds through an exception to rule under WAC 388-440-0001, the maximum amount of step three services you and your caregiver may receive in MAC and TSOA:

(a) From January 1, 2018 through June 30, 2018 is an average of five hundred and fifty-eight dollars per month not to exceed three thousand three hundred and ~~((forty-five))~~ forty-eight dollars in a six month period.

(b) Beginning July 1, 2018 is an average of five hundred and seventy-three dollars per month not to exceed three thousand four hundred and thirty-eight dollars in a six month period.

(2) If you are a care receiver who does not have an available unpaid caregiver, you are receiving TSOA personal assistance services, and the department has not authorized additional funds through an exception to rule under WAC 388-440-0001, the maximum amount of step three services you may receive:

(a) From January 1, 2018 through June 30, 2018 is five hundred and fifty-eight dollars per month.

(b) Beginning July 1, 2018 is five hundred and seventy-three dollars per month.