



# 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: June 16, 2022

TIME: 11:21 AM

WSR 22-13-116

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

**Subject of possible rule making:** The department is planning to amend Washington Administrative Codes (WACs) to support the passage of Senate Bill 5866, an act relating to Medicaid long-term services and supports eligibility determinations being completed by federally recognized Indian tribes. The department is planning to amend the following WACs:  
388-71-0503 – What definitions apply to WAC 388-71-0500 through WAC 388-71-05640  
388-106-0010 – What definitions apply to this chapter?  
388-106-0060 – Who must perform the assessment?  
388-115-0516 – What are the responsibilities of the consumer directed employer when providing care to a client?

The department may amend other related rules as required.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 74.08.090 & 74.09.520

**Reasons why rules on this subject may be needed and what they might accomplish:** The department is planning to amend WACs to support the passage of Senate Bill 5866, an act relating to Medicaid long-term services and supports eligibility determinations being completed by federally recognized Indian tribes. Senate Bill 5866 amended RCWs 74.09.520, 74.39A.009, 74.39A.090, 74.39A.095, and 74.39A.515.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** N/A

**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 within 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:**

Name: Angel Sullivan	(If necessary) Name:
Address: PO Box 45600 Olympia, WA 98504-5600	Address:
Phone: 360-464-0550	Phone:
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Web site:	Web site:
Other:	Other:

Additional comments:

<b>Date:</b> June 15, 2022	<b>Signature:</b> 
<b>Name:</b> Katherine I. Vasquez	
<b>Title:</b> DSHS Rules Coordinator	