



# PREPROPOSAL STATEMENT OF INQUIRY

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

Do NOT use for expedited rule making

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FILED

DATE: July 24, 2024

TIME: 12:02 PM

WSR 24-16-001

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

**Subject of possible rule making:** The department is planning to add a new section to WAC 388-106-1000 through 388-106-1055 in the paid Private Duty Nursing (PDN) section of WAC. The new section may be under WAC 388-106-1021, which is related to PDN Paid Holidays. Currently PDN providers have been receiving holiday pay and referring to a Washington state employee WAC. PDN providers are not Washington state employees and therefore need to have clarity in this WAC section for paid holidays. During this rule-making the department may identify and amend other related rules as required.

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

**Reasons why rules on this subject may be needed and what they might accomplish:** The rules for PDN providers and PDN holiday pay are unclear. Therefore, paid PDN contracted providers need clarity on the WAC that outlines the days for which they will receive holiday pay.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** Coordinating with Health Care Authority and Developmental Disability Administration.

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

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) The department invites interested parties to review and provide input on the draft language of this rule. Draft material and information about how to participate may be obtained from the department representatives listed below.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

Name: Kaila O'Dell  
Address: 4450 10<sup>th</sup> Ave SE, Lacey, WA 98504  
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Other:

(If necessary)

Name: Angela Nottage  
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Web site:

Other:

Additional comments:

**Date:** July 24, 2024

**Name:** Katherine I. Vasquez

**Title:** DSHS Rules Coordinator

**Signature:**