



**STATE OF WASHINGTON**  
**DEPARTMENT OF SOCIAL AND HEALTH SERVICES**  
***Aging and Long-Term Support Administration***  
***PO Box 45600, Olympia, WA 98504-5600***

September 30, 2014

**ALTSA: ESF #2014-003**  
**FORMAL PHASE (CR-103) OF ADOPTING NEW CHAPTER 388-107 WAC**  
**ENHANCED SERVICES FACILITIES**

Dear Enhanced Services Facilities Interested Party and/or Stakeholder:

In July 2013, the department filed a CR-101 to begin the rule adoption process to establish new Chapter 388-107 Washington Administrative Code (WAC), Enhanced Services Facilities.

In 2005, the Legislature passed a law establishing a new licensure category called Enhanced Services Facilities. Funding to establish these facilities was approved by the 2013 Legislature under Third Engrossed Substitute Senate Bill 5034 (Chapter 4, Laws of 2013).

In February 2014, we informed you we had filed a CR-102 & WSR 14-03-026 and had scheduled a hearing for March 11, 2014. Comments were received during the public hearing regarding the draft WAC and some of those comments have been incorporated into the proposed rules.

Subsequent review of proposed language by a core workgroup incorporated four important changes to the draft WAC:

1. The facility must have policies and procedures regarding security precautions for the surrounding community.
2. ESFs may have private-pay, in addition to Medicaid funded, residents.
3. ESFs may be more than a one story building.
4. Physical restraints may be used only for medical purposes.

The department filed the supplemental CR-102, a more formal phase of the rule-making process in June 2014 and a public hearing occurred on August 5, 2014. Minimal comments were received and no changes were made to WAC 388-107. The CR103 for formal rule adoption was filed on September 12, 2014. The CR103 is available on the ALTSA website under the heading, "ESF Rule Filings," at:  
<http://www.altsa.dshs.wa.gov/professional/esf.htm>.

Dear AFH Interested Party/Stakeholder

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If you have questions about the proposed rules, please contact Doug Mora, Program Manager, Enhanced Services Facilities, Residential Care Services, at (360) 725-2408 or e-mail at [Doug.Mora@dshs.wa.gov](mailto:Doug.Mora@dshs.wa.gov).

Sincerely,

A handwritten signature in blue ink that reads "Carl I. Walters II." The signature is stylized with a large, sweeping flourish that extends to the right and then loops back down and left.

Carl I. Walters II., Director  
Residential Care Services

*"Transforming Lives"*