



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

July 8, 2022

AL TSA: AFH #2022-028
AL TSA: ALF #2022-024
AL TSA: ESF #2022-023

**CR-103E FILED TO EXTEND EMERGENCY RULES REGULATING TIMELINES FOR
COMPLETING CERTAIN RESIDENT ASSESSMENTS AND CR-101 FILED
TO CONSIDER PERMANENT RULEMAKING**

Dear Provider/Administrator:

The department filed a CR-103E to extend emergency rules regulating the timelines for completing CARE assessments for current residents in adult family homes, assisted living facilities, and enhanced services facilities. (WSR 22-13-185) on June 22, 2022. The emergency rules amend WACs 388-76-10350, 388-78A-2100, and 388-107-0080 to allow facilities to continue using a CARE assessment for a current resident whose care is state-funded for an additional twelve months. Emergency rules are effective for 120 days unless repealed, or the department may file an extension as needed. At this time, these rules are scheduled to expire on October 20, 2022.

The department also filed a CR-101 (WSR 22-13-121) to consider permanent rule changes to these sections.

On January 18, the department sent [a letter](#) to notify providers that Home and Community Services (HCS) extended some Medicaid clients' annual residential CARE reassessments for up to one year. On February 24, 2022, the department filed a CR-103E ([WSR 22-06-042](#)) to amend the rules to match the HCS process and allow facilities to continue using the CARE assessments for an additional twelve months.

Assessments are still required when there is a significant change to a resident's condition, and HCS continues to conduct those assessments. Negotiated care plans or negotiated service agreements must continue to be updated as needed according to the schedules in:

- Adult family homes: WAC 388-76-10380;
- Assisted living facilities: WAC 388-78A-2150; and
- Enhanced services facilities: WAC 388-107-0130.

Thank you for your continued commitment to resident/client health and safety. If you have any questions, please contact the Policy Unit at RCSPolicy@dshs.wa.gov.

Sincerely,

Mike Anbesse, Director
Residential Care Services

DSHS: "Transforming Lives"