



# 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: April 20, 2021

TIME: 10:23 AM

WSR 21-09-071

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

**Subject of possible rule making:** The department is planning to add a new section in chapter 388-106 WAC for Long-Term Services and Supports (LTSS) Presumptive Eligibility, and may amend other related rules as may be required.

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

**Reasons why rules on this subject may be needed and what they might accomplish:** The department is adding a new section in chapter 388-106 WAC describing LTSS Presumptive Eligibility and functional eligibility criteria for clients who are discharging from acute care hospitals or diverting from community psychiatric facilities into an in-home setting with home and community based (HCB) services.

Other related rule changes that arise during this rule making may be incorporated, and other related WAC sections may need to be updated because of this rule making.

The Health Care authority will also be filing a CR-101 and amending chapter 182-513 WAC and chapter 182-515 WAC to define financial eligibility for LTSS Presumptive Eligibility.

**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. DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rulemaking at a later date. The department will send a copy of the proposal 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:**

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(If necessary)

Name:  
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Other:

Additional comments:

<b>Date:</b> April 20, 2021	<b>Signature:</b> 
<b>Name:</b> Katherine I. Vasquez	
<b>Title:</b> DSHS Rules Coordinator	