



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: April 20, 2021

TIME: 4:03 PM

WSR 21-09-080

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

Subject of possible rule making: The department is planning to amend WAC 388-106-0250, What is the roads to community living (RCL) demonstration project and who is eligible?, and other related rules as may be required.

Statutes authorizing the agency to adopt rules on this subject: RCW 74.08.090, RCW 74.09.520, Affordable Care Act (ACA), Deficit Reduction Act of 2005 (P.L. 109-171), and Consolidated Appropriations Act of 2021 (Section 204)

Reasons why rules on this subject may be needed and what they might accomplish: This rulemaking will ensure that Roads to Community Living eligibility aligns with the federal Money Follows the Person demonstration eligibility criteria. The Consolidated Appropriations Act of 2021, Section 204 outlines an extension of Money Follows the Person Rebalancing Demonstration and changes the institutional residency period requirement, striking the 90 day institutionalized eligibility period and inserting a 60 day institutionalization period. In addition, Money Follows the Person (MFP) demonstration eligibility includes all settings identified as home and community-based settings. Roads to Community Living is the name of Washington State's Money Follows the Person Demonstration.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Aging and Long-Term Support Administration (AL TSA) will coordinate with Developmental Disabilities Administration (DDA) during this rule making process.

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

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) The department invites the interested public 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 representative listed below.

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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Additional comments:

Date: April 20, 2021

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature: