



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: September 20, 2022

TIME: 10:21 AM

WSR 22-19-078

Agency: Department of Social and Health Services, Behavioral Health Administration

Subject of possible rule making: WAC 388-880-056, How SCC considers a resident for release to an LRA (amend); 388-880-057, How SCC considers a resident's revocation of LRA status (amend); 388-880-058, How SCC considers a recommendation for a resident's unconditional discharge (amend); 388-880-059, Communicating and coordinating resident discharge and conditional release related matters (amend); and possible other sections as required.

Statutes authorizing the agency to adopt rules on this subject: RCW 71.09.070, 71.09.090, and 71.09.097

Reasons why rules on this subject may be needed and what they might accomplish: The department recognizes these WACs have not been updated since 2013 and since then, there have been policy and RCW changes that require an update. The department has decided to combine WACs 388-880-056 through 388-880-058 into one WAC. This will help clarify expectations of the Senior Clinical Team and clarify how the Special Commitment Center (SCC) reviews residents whose Less Restrictive Alternative (LRA) status is revoked. WAC 388-880-059 is being amended to clarify communication expectations for SCC when a resident is conditionally released or discharged.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: This currently only affects Behavioral Health Administration and the Special Commitment Center.

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. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rulemaking. A copy of the proposal will be sent 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)

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Additional comments:

Date: September 20, 2022

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature: