



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: July 11, 2023

TIME: 9:38 AM

WSR 23-15-035

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

Subject of possible rule making: WAC 388-880-005 Special commitment of sexually violent predators – Legal basis (amend), 388-880-007 Purpose (amend), 388-880-020 Authorization for indefinite commitment to the sexual predator program (amend), 388-880-030 Sexual predator program supplemental and post commitment evaluations (amend), 388-880-031 Sexual predator program annual evaluation (amend), 388-880-033 Evaluator – Qualifications (amend), 388-880-034 Evaluator – Supplemental and post commitment evaluation responsibilities (amend), 388-880-035 Refusal to participate in a supplemental or post commitment pretrial evaluation (amend), 388-880-036 Supplemental evaluation – Reporting (amend), 388-880-040 Individualized treatment (amend), 388-880-050 Rights of a person court-detained or civilly committed to the special commitment center (amend), and other related sections as may be necessary.

Statutes authorizing the agency to adopt rules on this subject: RCW 71.09.010, 71.09.040, 71.09.060, 71.09.070, and 71.09.080

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 change the name of the treatment program from “sexual predator program” to “sex offense specific treatment program” which will help clarify the type of treatment provided by SCC. The Department is updating the WACs that relate to the forensic evaluations that are completed as well as the qualifications of the forensic evaluators.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

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)

Name:
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Additional comments:

Date: July 7, 2023	Signature: 
Name: Katherine I. Vasquez	
Title: DSHS Rules Coordinator	