



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: May 27, 2025

TIME: 9:15 AM

WSR 25-12-025

Agency: Department of Social and Health Services (DSHS), Home and Community Living Administration, RCS

Subject of possible rule making: The department is considering amending sections in chapter 388-78A WAC "Assisted Living Facility Licensing Rules" related to E2SSB 5337 Chapter 187, Laws of 2025 Assisted Living Facilities-Memory Care Services. This rulemaking may result in adopting new sections of rule. The department may amend other related rules as necessary.

Statutes authorizing the agency to adopt rules on this subject: RCW 18.20.090

Reasons why rules on this subject may be needed and what they might accomplish: The Legislature passed E2SSB 5337 Assisted Living Facilities-Memory Care Services. This bill established a definition for dementia and memory care unit or facility and created criteria for memory care certification. The bill also outlines physical environment requirements, care and service requirements, enforcement actions for facilities that operate without certification, and a separate disclosure describing staffing in the memory care facility or unit. The department is considering updates to definitions, adding new sections, and amending current sections of WAC 388-78A to meet the requirements of the legislation.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: No other federal or state agencies regulate this subject.

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

Negotiated rule making

Pilot rule making

Agency study

Other (describe) The department will use a collaborative rulemaking process to develop and receive comments

on draft rules. Contact the staff listed below to receive draft material and information about how to participate in the rulemaking process.

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:
Address:
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Other:

Additional comments:

Date: May 27, 2025

Signature:

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator