



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

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STATE OF WASHINGTON
FILED

DATE: May 27, 2021

TIME: 9:37 AM

WSR 21-12-060

Agency: Department of Social and Health Services, Developmental Disabilities Administration (DDA)

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose:

These amendments add several providers to the scope of Chapter 388-829-0005:

- Children’s state-operated living alternative (SOLA) providers;
- Overnight planned respite services (OPRS) providers;
- Group training home providers; and
- Stabilization, assessment, and intervention facility (SAIF) providers.

These amendments also replace “community crisis stabilization services” with the program’s new name, “intensive habilitation services for children.”

With the exception of SAIF, which is a new provider type, all of the other providers were already beholden to Chapter 388-829 WAC by program-specific rules.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 388-829-0005
- Suspended:

Statutory authority for adoption: RCW 71A.12.030

Other authority: RCW 74.39A.074, RCW 74.39A.341, RCW 18.88B.041

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 21-07-099 on March 22, 2021 (date).
Describe any changes other than editing from proposed to adopted version: None.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	___	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	<u>1</u>	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	<u>1</u>	Repealed	___

Date Adopted: May 27, 2021

Name: Donald Clintsman

Title: Acting Secretary

Signature:



AMENDATORY SECTION (Amending WSR 18-18-020, filed 8/24/18, effective 9/24/18)

WAC 388-829-0005 Who do the training requirements in this chapter apply to? (1) The training requirements in this chapter apply to:

(a) Community residential service businesses under RCW 74.39A.009;

(b) Alternative living providers under chapter 388-829A WAC;

~~(c) ((Community crisis stabilization services providers under chapter 388-833 WAC; and~~

~~(d-)) Companion home providers under chapter 388-829C WAC;~~

(d) Intensive habilitation services for children providers under chapter 388-833 WAC;

(e) Overnight planned respite service providers;

(f) Stabilization, assessment, and intervention facility providers;

(g) State-operated living alternatives for adults; and

(h) State-operated living alternatives for children.

(2) Under this chapter, the term "service provider" includes:

~~(a) ((Supported living service providers;~~

~~(b) State-operated living alternatives;~~

~~(c) DDA group homes;~~

~~(d) Licensed staffed residential homes;~~

~~(e-)) Alternative living providers;~~

~~((f) Community crisis stabilization services for children; and~~

~~(g-)) (b) Companion home providers;~~

(c) DDA group homes;

(d) Group training homes;

(e) Intensive habilitation services for children;

(f) Licensed staffed residential homes;

(g) Overnight planned respite service providers;

(h) Stabilization, assessment, and intervention facility providers;

(i) State-operated living alternatives for adults;

(j) State-operated living alternatives for children; and

(k) Supported living service providers.

(3) A DDA group home licensed as an adult family home or assisted living facility must meet the training requirements in this chapter and the home care aide certification requirements under chapter 388-112A WAC.

(4) All other service providers listed in subsection (2) of this section ~~((must meet the training requirements in this chapter but))~~ are exempt from home care aide certification through the department of health.