



EXPEDITED RULE MAKING

CR-105 (June 2024) (Implements RCW 34.05.353)

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STATE OF WASHINGTON
FILED

DATE: November 05, 2025

TIME: 10:47 AM

WSR 25-22-107

Agency: Department of Social and Health Services, Home and Community Living, RCS

Title of rule and other identifying information: (describe subject) Resident Protection Program (RPP) WAC Repeal – The following WACs are no longer in use and are therefore being repealed. WAC 388-97-0660 – Resident protection program definition., 388-97-0680 – Investigation of mandated reports., 388-97-0700 – Preliminary finding., 388-97-0720 – Notice to individual of preliminary findings., 388-97-0725 – Notice to others of preliminary findings., 388-97-0740 – Disputing a preliminary finding., 388-97-0760 – Hearing procedures to dispute preliminary finding., 388-97-0780 – Finalizing the preliminary finding., 388-97-0800 – Reporting final findings., 388-97-0820 – Appeal of administrative law judge's initial order or finding., and 388-97-0840 – Disclosure of investigative and finding information.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The responsibility for investigation of potential abuse, neglect, and/or exploitation allegations, against a nursing home (NH) resident by an individual, transitioned from Residential Care Services (RCS) to Adult Protective Services (APS). These investigations are now conducted by APS, in accordance with chapter 388-103 WAC, making RCS WACs 388-97-0660 through 388-97-0840 redundant.

Reasons supporting proposal: WACs 388-97-0660 through 388-97-0840 are no longer in use.

Statutory authority for adoption: RCW 34.05.353(2)(d), RCW 74.42.620.

Statute being implemented: RCW 34.05.353(2)(d).

Is rule necessary because of a:

Federal Law?

☐ Yes

☒ No

Federal Court Decision?

☐ Yes

☒ No

State Court Decision?

☐ Yes

☒ No

If yes, CITATION:

Name of proponent: (person or organization) Department of Social and Health Services

☐ Private

☐ Public

☒ Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	RCS-Jodi Lamoreaux	PO Box 45600, Olympia, WA. 98504-5600	(360) 464-0487
Implementation:	RCS-Jodi Lamoreaux	PO Box 45600, Olympia, WA. 98504-5600	(360) 464-0487
Enforcement:	RCS-Jodi Lamoreaux	PO Box 45600, Olympia, WA. 98504-5600	(360) 464-0487

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None.

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

- ☐ Relates only to internal governmental operations that are not subject to violation by a person;
- ☐ Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- ☐ Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- ☐ Content is explicitly and specifically dictated by statute;
- ☐ Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- ☐ Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

- ☐ The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- ☐ The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- ☐ The rule is no longer necessary because of changed circumstances; or
- ☒ Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4): These investigations are now conducted by APS, in accordance with chapter 388-103 WAC,

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: DSHS Rules Coordinator

Agency: Department of Social and Health Services

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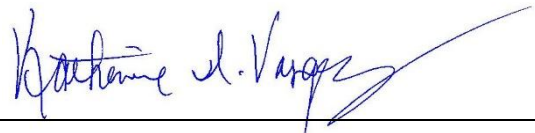
BEGINNING (date/time) noon on November 5, 2025 **AND RECEIVED BY** (date/time) 5:00 p.m. on January 6, 2026

Date: November 5, 2025

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-97-0660	Resident protection program definition.
WAC 388-97-0680	Investigation of mandated reports.
WAC 388-97-0700	Preliminary finding.
WAC 388-97-0720	Notice to individual of preliminary findings.
WAC 388-97-0725	Notice to others of preliminary findings.
WAC 388-97-0740	Disputing a preliminary finding.
WAC 388-97-0760	Hearing procedures to dispute preliminary finding.
WAC 388-97-0780	Finalizing the preliminary finding.
WAC 388-97-0800	Reporting final findings.
WAC 388-97-0820	Appeal of administrative law judge's initial order or finding.
WAC 388-97-0840	Disclosure of investigative and finding information.