



RULE-MAKING ORDER

CR-103E (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Social and Health Service/Aging and Disability Services Administration

Emergency Rule Only

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) July 1, 2010

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

- Yes
 - No
- If Yes, explain:

Purpose:

Effective July 1, 2010, the department will increase the boarding home licensing fee from \$79 a bed to \$106 a bed. The rates in WAC 388-105-0005 will be increased to cover the Medicaid share of the license fee increase and new training needs.

Citation of existing rules affected by this order:

Repealed: None
 Amended: WAC 388-105-0005
 Suspended: None

Statutory authority for adoption: chapter 74.39A.030 (3) (a)
 Chapter 37 Laws of 2010 sec. 206 (19)

Other authority: NA

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, or 2011, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: See above

Date adopted:

June 23, 2010

NAME (TYPE OR PRINT)

Katherine Vasquez

SIGNATURE

TITLE

DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 30, 2010
TIME: 8:29 AM

WSR 10-14-057

**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Federal statute:	New	_____	Amended	_____	Repealed	_____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	<u>1</u>	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 in 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	_____	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	<u>1</u>	Amended	_____	Repealed	_____

AMENDATORY SECTION (Amending WSR 09-20-011, filed 9/25/09, effective 10/26/09)

WAC 388-105-0005 The daily medicaid payment rates for clients assessed using the comprehensive assessment reporting evaluation (CARE) tool and that reside in adult family homes (AFH) and boarding homes contracted to provide assisted living (AL), adult residential care (ARC), and enhanced adult residential care (EARC) services. For contracted AFH and boarding homes contracted to provide AL, ARC, and EARC services, the department pays the following daily rates for care of a medicaid resident:

COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE					
KING COUNTY					
CARE CLASSIFICATION	AL Without Capital Add-on	AL With Capital Add-on	ARC	EARC	AFH
A Low	66.45 <u>66.65</u>	71.87 <u>72.07</u>	46.99 <u>47.19</u>	46.99 <u>47.19</u>	\$46.39
A Med	71.95 <u>72.15</u>	77.37 <u>77.57</u>	53.32 <u>53.52</u>	53.32 <u>53.52</u>	\$52.64
A High	80.74 <u>80.94</u>	86.16 <u>86.36</u>	58.56 <u>58.76</u>	58.56 <u>58.76</u>	\$58.90
B Low	66.45 <u>66.65</u>	71.87 <u>72.07</u>	46.99 <u>47.19</u>	46.99 <u>47.19</u>	\$46.62
B Med	74.15 <u>74.35</u>	79.57 <u>79.77</u>	59.65 <u>59.85</u>	59.65 <u>59.85</u>	\$59.19
B Med-High	83.98 <u>84.18</u>	89.40 <u>89.60</u>	63.43 <u>63.63</u>	63.43 <u>63.63</u>	\$63.42
B High	88.41 <u>88.61</u>	93.83 <u>94.03</u>	72.51 <u>72.71</u>	72.51 <u>72.71</u>	\$72.51
C Low	71.95 <u>72.15</u>	77.37 <u>77.57</u>	53.32 <u>53.52</u>	53.32 <u>53.52</u>	\$52.64
C Med	80.74 <u>80.94</u>	86.16 <u>86.36</u>	66.93 <u>67.13</u>	66.93 <u>67.13</u>	\$67.22
C Med-High	100.51 <u>100.71</u>	105.93 <u>106.13</u>	89.22 <u>89.42</u>	89.22 <u>89.42</u>	\$88.06
C High	101.51 <u>101.71</u>	106.93 <u>107.13</u>	90.07 <u>90.27</u>	90.07 <u>90.27</u>	\$89.29

D Low	\$((74.15)) <u>74.35</u>	\$((79.57)) <u>79.77</u>	\$((72.07)) <u>72.27</u>	\$((72.07)) <u>72.27</u>	\$68.52
D Med	\$((82.39)) <u>82.59</u>	\$((87.81)) <u>88.01</u>	\$((83.50)) <u>83.70</u>	\$((83.50)) <u>83.70</u>	\$83.87
D Med-High	\$((106.54)) <u>106.74</u>	\$((111.96)) <u>112.16</u>	\$((106.19)) <u>106.39</u>	\$((106.19)) <u>106.39</u>	\$100.92
D High	\$((114.81)) <u>115.01</u>	\$((120.23)) <u>120.43</u>	\$((114.81)) <u>115.01</u>	\$((114.81)) <u>115.01</u>	\$114.90
E Med	\$((138.75)) <u>138.95</u>	\$((144.17)) <u>144.37</u>	\$((138.75)) <u>138.95</u>	\$((138.75)) <u>138.95</u>	\$138.84
E High	\$((162.69)) <u>162.89</u>	\$((168.11)) <u>168.31</u>	\$((162.69)) <u>162.89</u>	\$((162.69)) <u>162.89</u>	\$162.79

COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE					
METROPOLITAN COUNTIES*					
CARE CLASSIFICATION	AL Without Capital Add-on	AL With Capital Add-on	ARC	EARC	AFH
A Low	\$((60.95)) <u>61.15</u>	\$((65.87)) <u>66.07</u>	\$((46.99)) <u>47.19</u>	\$((46.99)) <u>47.19</u>	\$46.39
A Med	\$((64.26)) <u>64.46</u>	\$((69.18)) <u>69.38</u>	\$((51.21)) <u>51.41</u>	\$((51.21)) <u>51.41</u>	\$50.55
A High	\$((78.54)) <u>78.74</u>	\$((83.46)) <u>83.66</u>	\$((55.84)) <u>56.04</u>	\$((55.84)) <u>56.04</u>	\$55.76
B Low	\$((60.95)) <u>61.15</u>	\$((65.87)) <u>66.07</u>	\$((46.99)) <u>47.19</u>	\$((46.99)) <u>47.19</u>	\$46.62
B Med	\$((69.74)) <u>69.94</u>	\$((74.66)) <u>74.86</u>	\$((56.49)) <u>56.69</u>	\$((56.49)) <u>56.69</u>	\$56.04
B Med-High	\$((79.00)) <u>79.20</u>	\$((83.92)) <u>84.12</u>	\$((60.07)) <u>60.27</u>	\$((60.07)) <u>60.27</u>	\$60.10
B High	\$((86.22)) <u>86.42</u>	\$((91.14)) <u>91.34</u>	\$((70.46)) <u>70.66</u>	\$((70.46)) <u>70.66</u>	\$70.46
C Low	\$((64.26)) <u>64.46</u>	\$((69.18)) <u>69.38</u>	\$((51.42)) <u>51.62</u>	\$((51.42)) <u>51.62</u>	\$50.93
C Med	\$((78.54)) <u>78.74</u>	\$((83.46)) <u>83.66</u>	\$((66.07)) <u>66.27</u>	\$((66.07)) <u>66.27</u>	\$65.58

C Med-High	\$((97.20)) <u>97.40</u>	\$((102.12)) <u>102.32</u>	\$((82.89)) <u>83.09</u>	\$((82.89)) <u>83.09</u>	\$81.82
C High	\$((98.17)) <u>98.37</u>	\$((103.09)) <u>103.29</u>	\$((88.17)) <u>88.37</u>	\$((88.17)) <u>88.37</u>	\$86.81
D Low	\$((69.74)) <u>69.94</u>	\$((74.66)) <u>74.86</u>	\$((71.08)) <u>71.28</u>	\$((71.08)) <u>71.28</u>	\$67.01
D Med	\$((80.14)) <u>80.34</u>	\$((85.06)) <u>85.26</u>	\$((81.83)) <u>82.03</u>	\$((81.83)) <u>82.03</u>	\$81.61
D Med-High	\$((103.04)) <u>103.24</u>	\$((107.96)) <u>108.16</u>	\$((103.56)) <u>103.76</u>	\$((103.56)) <u>103.76</u>	\$97.84
D High	\$((111.65)) <u>111.85</u>	\$((116.57)) <u>116.77</u>	\$((111.65)) <u>111.85</u>	\$((111.65)) <u>111.85</u>	\$111.16
E Med	\$((134.44)) <u>134.64</u>	\$((139.36)) <u>139.56</u>	\$((134.44)) <u>134.64</u>	\$((134.44)) <u>134.64</u>	\$133.95
E High	\$((157.23)) <u>157.43</u>	\$((162.15)) <u>162.35</u>	\$((157.23)) <u>157.43</u>	\$((157.23)) <u>157.43</u>	\$156.74

*Benton, Clark, Franklin, Island, Kitsap, Pierce, Snohomish, Spokane, Thurston, Whatcom, and Yakima counties.

COMMUNITY RESIDENTIAL DAILY RATES FOR CLIENTS ASSESSED USING CARE					
NONMETROPOLITAN COUNTIES**					
CARE CLASSIFICATION	AL Without Capital Add-on	AL With Capital Add-on	ARC	EARC	AFH
A Low	\$((59.87)) <u>60.07</u>	\$((65.11)) <u>65.31</u>	\$((46.99)) <u>47.19</u>	\$((46.99)) <u>47.19</u>	\$46.39
A Med	\$((64.26)) <u>64.46</u>	\$((69.50)) <u>69.70</u>	\$((50.16)) <u>50.36</u>	\$((50.16)) <u>50.36</u>	\$49.52
A High	\$((78.54)) <u>78.74</u>	\$((83.78)) <u>83.98</u>	\$((54.94)) <u>55.14</u>	\$((54.94)) <u>55.14</u>	\$54.73
B Low	\$((59.87)) <u>60.07</u>	\$((65.11)) <u>65.31</u>	\$((46.99)) <u>47.19</u>	\$((46.99)) <u>47.19</u>	\$46.62
B Med	\$((69.74)) <u>69.94</u>	\$((74.98)) <u>75.18</u>	\$((55.44)) <u>55.64</u>	\$((55.44)) <u>55.64</u>	\$55.00
B Med-High	\$((79.00)) <u>79.20</u>	\$((84.24)) <u>84.44</u>	\$((58.94)) <u>59.14</u>	\$((58.94)) <u>59.14</u>	\$58.92
B High	\$((86.22)) <u>86.42</u>	\$((91.46)) <u>91.66</u>	\$((66.64)) <u>66.84</u>	\$((66.64)) <u>66.84</u>	\$66.64

C Low	\$((64.26) <u>64.46</u>)	\$((69.50) <u>69.70</u>)	\$((50.16) <u>50.36</u>)	\$((50.16) <u>50.36</u>)	\$49.52
C Med	\$((78.54) <u>78.74</u>)	\$((83.78) <u>83.98</u>)	\$((62.45) <u>62.65</u>)	\$((62.45) <u>62.65</u>)	\$63.07
C Med-High	\$((97.20) <u>97.40</u>)	\$((102.44) <u>102.64</u>)	\$((79.72) <u>79.92</u>)	\$((79.72) <u>79.92</u>)	\$78.70
C High	\$((98.17) <u>98.37</u>)	\$((103.41) <u>103.61</u>)	\$((83.34) <u>83.54</u>)	\$((83.34) <u>83.54</u>)	\$82.10
D Low	\$((69.74) <u>69.94</u>)	\$((74.98) <u>75.18</u>)	\$((67.19) <u>67.39</u>)	\$((67.19) <u>67.39</u>)	\$63.37
D Med	\$((80.14) <u>80.34</u>)	\$((85.38) <u>85.58</u>)	\$((77.35) <u>77.55</u>)	\$((77.35) <u>77.55</u>)	\$77.17
D Med-High	\$((103.04) <u>103.24</u>)	\$((108.28) <u>108.48</u>)	\$((97.88) <u>98.08</u>)	\$((97.88) <u>98.08</u>)	\$92.52
D High	\$((105.53) <u>105.73</u>)	\$((110.77) <u>110.97</u>)	\$((105.53) <u>105.73</u>)	\$((105.53) <u>105.73</u>)	\$105.10
E Med	\$((127.07) <u>127.27</u>)	\$((132.31) <u>132.51</u>)	\$((127.07) <u>127.27</u>)	\$((127.07) <u>127.27</u>)	\$126.64
E High	\$((148.61) <u>148.81</u>)	\$((153.85) <u>154.05</u>)	\$((148.61) <u>148.81</u>)	\$((148.61) <u>148.81</u>)	\$148.19

** Nonmetropolitan counties: Adams, Asotin, Chelan, Clallam, Columbia, Cowlitz, Douglas, Ferry, Garfield, Grant, Grays Harbor, Jefferson, Kittitas, Klickitat, Lewis, Lincoln, Mason, Okanogan, Pacific, Pend Orielle, San Juan, Skagit, Skamania, Stevens, Wahkiakum, Walla Walla and Whitman.