



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do **NOT** use for expedited rule making

**Agency:** Department of Social and Health Services, Aging and Disability Services Administration (ADSA)

**Subject of possible rule making:** A legislative enacted rate add-on shall be used to increase wages, benefits, and/or staffing levels for certified nurse aides; or to increase wages and/or benefits for dietary aides, housekeepers, laundry aides, or any other category of worker whose statewide average dollars-per-hour wage was less than \$15 in calendar year 2006, according to cost report data. The add-on may also be used to address resulting wage compression for related job classes immediately affected by wage increases to low-wage workers. The department is amending chapter 388-96 WAC to establish, in rule, reporting requirements and a settlement process to ensure that the funds are spent on increasing wages in accordance with the legislative enactment.

**Statutes authorizing the agency to adopt rules on this subject:** Chapter 329, Laws of 2008 Section 206 (9)

**Reasons why rules on this subject may be needed and what they might accomplish:**

The Legislature directed the department to increase compensation for low-wage workers in nursing homes beginning July 1, 2008. The department shall provide an add-on per resident day per facility based on the total funding divided by the total number of fiscal year 2009 Medicaid patient days as forecasted by the caseload forecast council (CFC), not to exceed \$1.57. The department may reduce the level of add-on if necessary to fit within this appropriation if the caseload forecasted days increase from the February 2008 forecast. The department by rule shall implement reporting requirements and a settlement process to ensure that the funds are spent according to this subsection.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** None

**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 rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Contact: Patricia Hague  
Post Office Box 45600  
Mailstop 45600  
Olympia, WA 98504-5600

Phone: (360) 725-2447      Fax (360) 725 -2641      TTY:  
E-mail: [haguepe@dshs.wa.gov](mailto:haguepe@dshs.wa.gov)

<b>DATE</b> June 3, 2008
<b>NAME (TYPE OR PRINT)</b> Stephanie Schiller
<b>SIGNATURE</b> 
<b>TITLE</b> DSHS Rules Coordinator

<b>CODE REVISER USE ONLY</b>
<div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;">OFFICE OF THE CODE REVISER STATE OF WASHINGTON FILED</p> <p>DATE: June 03, 2008 TIME: 2:29 PM</p> <p><b>WSR 08-12-071</b></p> </div>