



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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DATE: June 09, 2023

TIME: 9:14 AM

WSR 23-13-016

Agency: Department of Health

Subject of possible rule making: 23-hour Crisis Relief Centers in Washington State. The Department of Health (department) is considering amending the acute care hospital regulations in chapter 246-320 WAC in order to implement Second Substitute Senate Bill (2SSB) 5120 (chapter 433, laws of 2023), an act concerning the establishment of 23-hour crisis relief centers in Washington state.

Statutes authorizing the agency to adopt rules on this subject: RCW 70.41.030, 2SSB 5120 (chapter 433, laws of 2023)

Reasons why rules on this subject may be needed and what they might accomplish: Section 2 of 2SSB 5120 directs the department to adopt rules to develop standards for licensure or certification of 23-hour crisis relief centers, a new type of facility that will provide mental health and substance use crisis response to adults for no more than 23 hours and 59 minutes at a time. As part of this requirement, the department must coordinate with the Health Care Authority to establish rules that prohibit a hospital that is licensed under chapter 70.41 RCW from discharging or transferring a patient to a 23-hour crisis relief center unless the hospital has a formal relationship with the 23-hour crisis relief center.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: Health Care Authority (HCA). The department is required to coordinate with HCA on the development of these rules.

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative rule making

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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Additional comments: Interested parties may participate in the development of draft rules prior to a formal proposal by joining the department's interested parties list (GovDelivery), attending workshops, and providing input on draft and proposed materials. To find out more information about our rulemaking and to be included on the interested parties list, please follow these steps: 1) Go to www.doh.wa.gov; 2) Click on the "Sign up for Updates from DOH" button on the

bottom of the page; 3) Enter your contact information; 4) Click "Submit"; 5) Under the subscription preferences, scroll to "Facilities" and check box that says "Hospitals"; 6) Scroll to the bottom of the page and click "Submit."

Date: June 9, 2023

Name: Todd Mountin, PMP for Umair A. Shah, MD, MPH

Title: Deputy Chief of Policy for Secretary of Health

Signature:

A handwritten signature in black ink, appearing to read "Todd Mountin". The signature is written in a cursive style with a large initial "T".