

WAC 388-78A-2852 Exemptions or alternative methods. (1) The department may exempt an assisted living facility from meeting a specific requirement related to the physical environment or may approve an alternative method for meeting the requirement, if the department determines the exemptions or alternative method will:

(a) Not jeopardize the health or safety of residents;

(b) Not adversely affect the residents' quality of life;

(c) Not change the fundamental nature of the assisted living facility operation into something other than an assisted living facility;

(d) Demonstrate that the proposed alterations will serve to correct deficiencies or upgrade the facility in order to better serve residents; and

(e) Demonstrate to the director of residential care services, that substitution of procedures, materials, or equipment for requirements specified in this chapter would better serve residents.

(2) To request an exemption, or to request an approval of an alternative method, an assisted living facility must submit a written request to the department that includes:

(a) A description of the requested exemption or alternative method; and

(b) The specific rule for which the exemption is sought.

(3) The assisted living facility may not appeal the department's denial of a request for an exemption or alternative method.

(4) The assisted living facility must retain in the assisted living facility a copy of each approved exemption or alternative method.

[Statutory Authority: Chapters 18.20 and 74.39A RCW. WSR 20-02-104, § 388-78A-2852, filed 12/31/19, effective 1/31/20.]