

**WAC 388-106-0130 How does the department determine the number of hours I may receive for in-home care?** (1) The department assigns a base number of hours to each classification group as described in WAC 388-106-0125.

(2) The department will adjust base hours to account for informal supports and age appropriate functioning (as those terms are defined in WAC 388-106-0010), and other paid services that meet some of an individual's need for personal care services:

(a) The CARE tool determines the adjustment for informal supports and age appropriate functioning. A numeric value is assigned to the status and assistance available coding for ADLs and IADLs based on the table below. The base hours assigned to each classification group are adjusted by the numeric value in subsection (b) of this section.

<b>Meds</b>	<b>Status</b>	<b>Assistance Available</b>	<b>Numeric Value</b>	
Medication management  The rules to the right apply for all self-performance codes except independent which is not counted as a qualifying ADL	Unmet	N/A	1	
	Met	N/A	0	
	Decline	N/A	0	
	Age appropriate functioning	N/A	0	
	Partially met	<1/4 time		.9
		1/4 to 1/2 time		.7
		1/2 to 3/4 time		.5
>3/4 time			.3	
<b>Unscheduled ADLs</b>	<b>Status</b>	<b>Assistance Available</b>	<b>Value</b>	
Bed mobility, transfer, walk in room, eating, toilet use  The rules to the right apply for all self-performance codes except: Did not occur/client not able and Did not occur/no provider = 1; Did not occur/client declined and independent are not counted as qualifying ADLs	Unmet	N/A	1	
	Met	N/A	0	
	Decline	N/A	0	
	Age appropriate functioning	N/A	0	
	Partially met	<1/4 time		.9
		1/4 to 1/2 time		.7
		1/2 to 3/4 time		.5
>3/4 time			.3	
<b>Scheduled ADLs</b>	<b>Status</b>	<b>Assistance Available</b>	<b>Value</b>	
Dressing, personal hygiene, bathing  The rules to the right apply for all self-performance codes except: Did not occur/client not able and Did not occur/no provider = 1; Did not occur/client declined and independent which are not counted as qualifying ADLs	Unmet	N/A	1	
	Met	N/A	0	
	Decline	N/A	0	
	Age appropriate functioning	N/A	0	
	Partially met	<1/4 time		.75
		1/4 to 1/2 time		.55
		1/2 to 3/4 time		.35
>3/4 time			.15	

IADLs	Status	Assistance Available	Value
Meal preparation, ordinary housework, essential shopping  The rules to the right apply for all self-performance codes except independent is not counted as a qualifying IADL	Unmet	N/A	1
	Met	N/A	0
	Decline	N/A	0
	Child under (age) (see subsection (7))	N/A	0
	Partially met	<1/4 time	.3
		1/4 to 1/2 time	.2
		1/2 to 3/4 time	.1
>3/4 time		.05	

IADLs	Status	Assistance Available	Value
Travel to medical  The rules to the right apply for all self-performance codes except independent which is not counted as a qualifying IADL	Unmet	N/A	1
	Met	N/A	0
	Decline	N/A	0
	Child under (age) (see subsection (7))	N/A	0
	Partially met	<1/4 time	.9
		1/4 to 1/2 time	.7
		1/2 to 3/4 time	.5
>3/4 time		.3	

Key: > means greater than; < means less than

(b) To determine the amount adjusted for informal support or age appropriate functioning, the numeric values are totaled and divided by the number of qualifying ADLs and IADLs needs. The result is value A. Value A is then subtracted from one. This is value B. Value B is divided by three. This is value C. Value A and Value C are summed. This is value D. Value D is multiplied by the "base hours" assigned to your classification group and the result is the number of adjusted in-home hours. Values are rounded to the nearest hundredths (for example, .862 is rounded to .86).

(3) Effective July 1, 2012, after adjustments are made to your base hours, as described in subsection (2) of this section, the department may add on hours based on off-site laundry, living more than 45 minutes from essential services, and wood supply, as follows:

Condition	Status	Assistance Available	Add On Hours
Offsite laundry facilities, which means the client does not have facilities in own home and the caregiver is not available to perform any other personal or household tasks while laundry is done. The status used for the rules to the right is for housekeeping.	Unmet	N/A	8
	Met	N/A	0
	Declines	N/A	0
	Child under (age) (see subsection (7))	N/A	0
	Partially met:	<1/4 time	8
		between 1/4 to 1/2 time	6
		between 1/2 to 3/4 time	4
>3/4 time		2	

Condition	Status	Assistance Available	Add On Hours
Client is >45 minutes from essential services (which means the client lives more than 45 minutes one-way from a full-service market). The status used for the rules to the right is essential shopping.	Unmet	N/A	5
	Met	N/A	0
	Declines	N/A	0
	Child under (age) (see subsection (7))	N/A	0
	Partially met	<1/4 time	5
		between 1/4 to 1/2 time	4
		between 1/2 to 3/4 time	3
>3/4 time		2	
Wood supply used as sole source of heat.	Unmet	N/A	8
	Met	N/A	0
	Declines	N/A	0
	Child under (age) (see subsection (7))	N/A	0
	Partially met	<1/4 time	8
		between 1/4 to 1/2 time	6
		between 1/2 to 3/4 time	4
>3/4 time		2	

(4) In the case of New Freedom consumer directed services (NFCDS), the department determines the monthly budget available as described in WAC 388-106-1445.

(5) The result of adjustments under subsections (2) and (3) of this section is the maximum number of hours that can be used to develop your plan of care. The department must take into account cost effectiveness, client health and safety, and program limits in determining how hours can be used to address your identified needs. In the case of New Freedom consumer directed services (NFCDS), a New Freedom spending plan (NFSP) is developed in place of a plan of care.

(6) If you are eligible, your hours may be used to authorize the following services:

(a) Personal care services from a home care agency provider, an individual provider, or both.

(b) Home delivered meals (a half hour from the available hours for each meal authorized) per WAC 388-106-0805.

(c) A private duty nurse (PDN) if you are eligible per WAC 388-106-1010 or 182-551-3000 (one hour from the available hours for each hour of PDN authorized).

(d) The purchase of New Freedom consumer directed services (NFCDS).

(7) If you are a child applying for personal care services:

(a) The department presumes that children have legally responsible parents or other responsible adults who provide informal support for the child's ADLs, IADLs, and other needs. The department will not provide services or supports that are within the range of activities that a legally responsible parent or other responsible adult would ordinarily perform on behalf of a child of the same age who does not have a disability or chronic illness.

(b) The department will complete a CARE assessment and use the developmental milestones tables in this section when assessing your ability to perform personal care tasks.

(c) Your status will be coded as age appropriate for ADLs when your self-performance is at a level expected for persons in your assessed age range, as indicated by the developmental milestones table

in subpart (e) of this section, unless the circumstances in subpart (d) of this section apply.

(d) The department will code status as other than age appropriate for an ADL, despite your self-performance falling within the developmental age range for the ADL on the developmental milestones table in subpart (e) of this section, if the department determines during your assessment that your level of functioning is related to your disability and not primarily due to your age and the frequency or the duration of assistance required for a personal care task is not typical for a person of your age.

(e)

<b>Developmental Milestones for Activities of Daily Living (ADLs)</b>		
<b>ADL</b>	<b>Self-Performance</b>	<b>Developmental Age Range</b>
Medication management	Independent Self-directed Assistance required	Child under 18 years of age
	Must Be administered	Child under 12 years of age
Locomotion in room	Independent Supervision Limited Extensive	Child under 4 years of age
	Total	Child under 13 months of age
Locomotion outside room	Independent Supervision	Child under 6 years of age
	Limited Extensive	Child under 4 years of age
	Total	Child under 25 months of age
Walk in room	Independent Supervision Limited Extensive	Child under 4 years of age
	Total	Child under 19 months of age
Bed mobility	Independent Supervision Limited	Child under 37 months of age
	Extensive	Child under 25 months of age
	Total	Child under 19 months of age
Transfers	Independent Supervision Limited Extensive	Child under 3 years of age
	Total	Child under 19 months of age
Toilet use	Independent Supervision Limited Extensive	Child under 7 years of age
	Total	Child under 37 months of age
Eating	Independent Supervision Limited Extensive	Child under 3 years of age
	Total	Child under 13 months of age
Bathing	Independent Supervision	Child under 12 years of age
	Physical help/ Transfer only	Child under 5 years of age
	Physical help/part of bathing	Child under 6 years of age
	Total	Child under 37 months of age
Dressing	Independent Supervision	Child under 12 years of age
	Limited	Child under 8 years of age
	Extensive	Child under 7 years of age

<b>Developmental Milestones for Activities of Daily Living (ADLs)</b>		
<b>ADL</b>	<b>Self-Performance</b>	<b>Developmental Age Range</b>
	Total	Child under 25 months of age
Personal hygiene	Independent Supervision	Child under 12 years of age
	Limited Extensive	Child under 7 years of age
	Total	Child under 37 months of age

(f) For IADLs, the department presumes that children typically have legally responsible parents or other responsible adults to assist with IADLs. Status will be coded as "child under (age)" the age indicated by the developmental milestones table for IADLs in subpart (h) of this section unless the circumstances in subpart (g) of this section apply. (For example, a 16-year-old child coded as supervision in self-performance for wood supply would be coded "child under 18.")

(g) If the department determines during your assessment that the frequency or the duration of assistance required is not typical for a person of your age due to your disability or your level of functioning, the department will code status as other than described in subpart (h) of this section for an IADL.

(h)

<b>Developmental Milestones for Instrumental Activities of Daily Living</b>		
<b>IADL</b>	<b>Self-Performance</b>	<b>Developmental Age Range</b>
Wood supply	Independent Assistance Activity did not occur	Child under 18
Transportation	Independent Assistance Activity did not occur	Child under 18
	Total	Child under 16
Essential shopping, housework, meal preparation	Independent Assistance Activity did not occur	Child under 18
	Total	Child under 12

(i) The department presumes that children have legally responsible parents or other responsible adults who provide support for comprehension, decision-making, memory, and continence issues. These items will be coded as indicated by the additional developmental milestones table in subpart (k) of this section unless the circumstances in subpart (j) of this section apply.

(j) If the department determines during your assessment that due to your disability, the support you are provided for comprehension, decision making, memory, and continence issues is substantially greater than is typical for a person of your age, the department will code status as other than described in subpart (k) of this section.

(k)

<b>Additional Developmental Milestones coding within CARE</b>			
<b>Name of CARE panel</b>	<b>Question in CARE Panel</b>	<b>Developmental Milestone coding selection</b>	<b>Developmental Age Range</b>
Behavioral Health: Cognitive Performance-Comprehension	"By others, client is" / "By client, others are"	Child under 3	Child under 3
Behavioral Health: MMSE	"Can MMSE be administered?"	= No	Child under 18
Behavioral Health: Memory	"Is there evidence of short term memory loss?"	Child under 12	Child under 12
	"Is there evidence of long term memory loss?"	Child under 12	Child under 12
Behavioral Health: Depression	"Interview"	Unable to obtain	Child under 9
Behavioral Health: Cognitive Performance-Decision Making	"Rate how client makes decision"	Child under 12	Child under 12
Bladder/Bowel:	"Bladder/Bowel Control" is which of the following:		
	Continent Usually Continent Occasionally Incontinent	Age appropriate	Child under 12
	Frequently Incontinent	Age appropriate	Child under 9
	Incontinent all or most of the time	Age appropriate	Child under 6
Bladder/Bowel:	"Appliance and programs"	Potty Training	Child under 4

(8) If you are a child applying for personal care services and your status for ADLs and IADLs is not coded per the developmental age range indicated on the milestones tables under subsection (7) of this section, the department will assess for any informal supports available to assist you with each ADL and IADL. The department will presume that children have legally responsible parents or other responsible adults who provide informal support to them.

(a) The department will code status for an ADL or IADL as met if your assessment shows that your need for assistance with a personal care task is fully met by informal supports.

(b) Informal supports for school-age children include supports actually available through a school district, regardless of whether you take advantage of those available supports.

(c) When you are living with your legally responsible parent(s), the department will presume that you have informal supports available to assist you with your ADLs and IADLs over three-fourths but not all the time. Legally responsible parents include natural parents, step-parents, and adoptive parents. Generally, a legally responsible parent will not be considered unavailable to meet your personal care needs simply due to other obligations such as work or additional children because such obligations do not decrease the parent's legal responsibility to care for you regardless of your disabilities. However, the department will consider factors that cannot reasonably be avoided, and which prevent a legally responsible parent from providing for your personal care needs when determining the amount of informal support available to you. You may rebut the department's presumption by providing specific information during your assessment to indicate why you do not have informal supports available at least three-fourths of time to assist you with a particular ADL or IADL.

[Statutory Authority: RCW 74.08.090 and 74.09.520. WSR 23-16-085, § 388-106-0130, filed 7/28/23, effective 8/28/23; WSR 21-04-037, §

388-106-0130, filed 1/26/21, effective 3/1/21; WSR 15-20-054, § 388-106-0130, filed 9/30/15, effective 10/31/15; WSR 14-04-097, § 388-106-0130, filed 2/4/14, effective 3/7/14. Statutory Authority: RCW 74.08.090, 74.09.520, and 2010 c 37. WSR 11-11-024, § 388-106-0130, filed 5/10/11, effective 6/10/11. Statutory Authority: RCW 74.08.090, 74.09.520. WSR 08-23-011, § 388-106-0130, filed 11/6/08, effective 12/7/08; WSR 08-03-111, § 388-106-0130, filed 1/22/08, effective 2/22/08. Statutory Authority: RCW 74.08.090, 74.09.520, 74.39A.030. WSR 06-16-035, § 388-106-0130, filed 7/25/06, effective 8/25/06. Statutory Authority: RCW 74.08.090, 74.09.520, 74.39A.010 and 74.39A.020. WSR 06-05-022, § 388-106-0130, filed 2/6/06, effective 3/9/06. Statutory Authority: RCW 74.08.090, 74.09.520. WSR 05-11-082, § 388-106-0130, filed 5/17/05, effective 6/17/05.]