Chapter 388-848 WAC
CIVIL TRANSITIONS PROGRAM

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WAC

PURPOSE

388-848-0010 What is the civil transitions program?
388-848-0015 What is state-operated community residential transitions (SOCR-T)?

DEFINITIONS

388-848-0020 What definitions apply to this chapter?

PROGRAM ELIGIBILITY AND REFERRAL

388-848-0030 Who is eligible to enroll in the civil transitions program?
388-848-0040 How does a civil transitions program provider determine if they can safely meet a participant's needs?
388-848-0050 Who may receive civil transitions program services from a state-operated community residential transitions (SOCR-T) provider?
388-848-0060 What services are available to a civil transitions program participant?
388-848-0070 Are there limits to how long a participant may receive conditional services?
388-848-0080 Are civil transitions program services available everywhere in Washington state?
388-848-0090 How long after DDA received a referral may a person enroll in the civil transitions program?
388-848-0100 What if a person is referred to the civil transitions program multiple times?
388-848-0110 What if a participant withdraws from conditional services and then requests to resume services?

PARTICIPANT AGREEMENTS

388-848-0120 Must a participant sign a housing support agreement?
388-848-0130 Must a participant sign a household health and safety agreement?

PROVIDER REQUIREMENTS

388-848-0140 Who can apply to become a provider of wraparound housing stability?
388-848-0150 What qualifications or demonstrated knowledge apply to providers of wraparound housing stability?
388-848-0160 Do providers of wraparound housing stability have to complete a background check?
388-848-0170 Is a provider a mandated reporter?

STATE-OPERATED COMMUNITY RESIDENTIAL TRANSITIONS (SOCR-T)

388-848-0180 What services does state-operated community residential transitions (SOCR-T) provide?
388-848-0190 What are the responsibilities of state-operated community residential transitions (SOCR-T)?
388-848-0200 What home safety requirements must be met by state-operated community residential transitions (SOCR-T)?
388-848-0210 Must a state-operated community residential transitions provider be certified?
388-848-0220 What qualifications must employees working in the SOCR-T program meet?
388-848-0230 What training must employees working in the SOCR-T program complete?

TERMINATING AND STOPPING SERVICES

388-848-0240 When may DDA terminate a participant's housing support or wraparound housing stability?
388-848-0250 When may DDA terminate a participant's community first choice services?
388-848-0260 When may state-operated community residential transitions (SOCR-T) decide to stop providing services?

PURPOSE

WAC 388-848-0010 What is the civil transitions program? (1) The civil transitions program is a voluntary program for people referred to the developmental disabilities administration by the behavioral health administration as a result of a determination that the person is not competent to stand trial under RCW 10.77.084 and not likely restorable due to a diagnosis of intellectual or developmental disability.

(2) If a person is referred to the civil transitions program and is awaiting a restoration decision, DDA must offer the person an opportunity to apply for a DDA eligibility determination under chapter 388-823 WAC. Conditional services are not available to the person while awaiting a restoration decision.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0010, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0015 What is state-operated community residential transitions (SOCR-T)? State-operated community residential transitions (SOCR-T) is a provider of voluntary, short-term transition support services for clients of the developmental disabilities administration who have been found not competent to stand trial and not likely restorable under RCW 10.77.084 due to a diagnosis of intellectual or developmental disability.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0015, filed 11/13/25, effective 12/14/25.]

DEFINITIONS

WAC 388-848-0020 What definitions apply to this chapter? The following definitions apply to this chapter:

"Case manager" means the developmental disabilities administration case resource manager assigned to a client.

"Client" means a person who has a developmental disability as defined in RCW 71A.10.020 and who has been determined eligible by DDA to receive services under chapter 388-823 WAC.

"Community first choice" or "CFC" is a Medicaid state plan program as defined in chapter 388-106 WAC.

"Conditional services" means housing support services, wraparound housing stability, or community first choice services that may be available to a participant pursuing a DDA-eligibility determination. Conditional services are limited to available funding.

"Conditionally eligible" means a status assigned to a civil transitions program participant while the person awaits a DDA eligibility determination.

"Developmental disability" is defined in RCW 71A.10.020.

"DDA" means the developmental disabilities administration within the department of social and health services.

"Housing support" means assistance with, as funding is available, identifying potential housing resources, which may include resource sharing and coordination, and temporary rental assistance.

"Housing support agreement" means a contract between the participant and the housing support provider that sets rules and expectations for living in the home, participating in wraparound housing stability, or both.

"Legal representative" means a court-appointed guardian if a decision is within the scope of the guardianship order, or any other person authorized by law to act for the client.

"Medication administration" means the direct application of a medication or device by ingestion, inhalation, injection, or any other means, whether self-administered by a client, or administered by an authorized health care provider.

"Medication assistance" means assistance with self-administration of medication rendered by a nonpractitioner to a client in accordance with chapter 69.41 RCW.

"Participant" means a person receiving services through the civil transitions program.

"Support" means assistance a client receives based on needs identified in the person-centered service plan.

"Termination" means an action taken by DDA that ends DDA eligibility, DDA services, or both.

"Transition support services" means supports to assist clients in identifying and accessing community resources, promoting independence and personal safety, and facilitating their move to a long-term setting of their choice.

"Wraparound housing stability" means support that helps a participant by:

(1) Navigating community resources by supporting the person to:

(a) Prepare for and transition to a permanent service option;

(b) Identify and pursue community services based on their support needs; and

(c) Access services in their community of choice.

(2) Providing guidance to help the participant maintain tenancy once housing is secured.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0020, filed 11/13/25, effective 12/14/25.]

PROGRAM ELIGIBILITY AND REFERRAL

WAC 388-848-0030 Who is eligible to enroll in the civil transitions program? To be eligible for enrollment in the civil transitions program, a person must:

(1) Be determined not competent to stand trial and not likely restorable under RCW 10.77.084 due to an intellectual or developmental disability;

(2) Be referred to the developmental disabilities administration by the behavioral health administration; and

(3) Be one of the following:

(a) Not a current DDA client and apply for a DDA eligibility determination under chapter 388-823 WAC no more than 30 days after enrolling in the civil transitions program;

(b) A current DDA client who is not eligible for residential habilitation services under chapter 388-845 WAC; or

(c) A current DDA client who is eligible for residential habilitation services under chapter 388-845 WAC or residential services from an adult family home but is awaiting a service provider.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0030, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0040 How does a civil transitions program provider determine if they can safely meet a participant's needs? (1) To determine whether they can safely meet a participant's needs, the civil transitions program provider reviews participant information, such as:

(a) The participant's referral packet;

(b) Information gathered from the participant, collateral contacts, or case manager; and

(c) Composition of participants currently supported in the provider's shared housing.

(2) If the civil transitions program provider determines it is likely unsafe for the person to share a home with other vulnerable adults, the provider will determine if a single-person housing option is appropriate and available.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0040, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0050 Who may receive civil transitions program services from a state-operated community residential transitions (SOCR-T) provider? A client may receive civil transitions program services from a state-operated community residential transitions (SOCR-T) provider if:

(1) The client is referred to the developmental disabilities administration by the behavioral health administration under civil transitions criteria;

(2) The client is determined DDA-eligible under chapter 388-823 WAC; and

(3) The provider determines:

(a) That the client does not pose a risk to the health or safety of other participants, SOCR-T staff; and

(b) They can safely meet the client's needs within the SOCR-T program and available funding.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0050, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0060 What services are available to a civil transitions program participant? (1) A participant who is not a DDA client upon program enrollment may request wraparound housing stability support and housing support while awaiting an eligibility determination under chapter 388-823 WAC and is considered conditionally eligible. Wraparound housing stability support and housing support are limited to available funding.

(2) A participant who is not a DDA client upon program enrollment may apply for community first choice services under chapter 388-106 WAC while awaiting an eligibility determination under chapter 388-823 WAC.

(3) A participant who is a DDA client will be referred to DDA services for which the client may be eligible. If the client is unable to access residential habilitation services, the client may request:

(a) Housing support;

(b) Wraparound housing stability; or

(c) Services from a state-operated community residential transitions provider.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0060, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0070 Are there limits to how long a participant may receive conditional services? (1) If a participant is found ineligi-

ble for DDA services, the participant may receive conditional services for no more than six months from the first date of service.

(2) From a contracted provider, a participant who is a DDA client may receive:

(a) Housing support and wraparound housing stability through the civil transitions program for up to six months; and

(b) Community first choice services as long as the client meets eligibility criteria under WAC 388-106-0277.

(3) From a state-operated community residential transitions provider, a participant who is a DDA client may receive transition support services in a residential setting for up to six months.

(4) DDA may extend housing support or transition support services beyond six months, not to exceed 365 days, for a participant who is a DDA client if:

(a) The participant is in the process of transitioning to residential habilitation services or CFC residential services; and

(b) Appropriated funds are available.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0070, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0080 Are civil transitions program services available everywhere in Washington state? Civil transitions program services are limited to areas of Washington state with qualified state-operated or contracted providers.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0080, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0090 How long after DDA received a referral may a person enroll in the civil transitions program? (1) After DDA contacts a person referred to the civil transitions program, the person has up to 90 days to enroll. For the purpose of this section, enrollment occurs on the earlier of:

(a) Submission of an eligibility application; or

(b) Authorization of a conditional service.

(2) If DDA receives a referral without contact information for the person, DDA will keep the referral active for 90 days.

(3) If DDA receives a referral with contact information for the person but is unable to contact them, DDA will keep the referral active for 90 days from final attempt to make contact.

(4) If the person declines DDA services, DDA will keep the referral active for 90 days from the date the person declines.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0090, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0100 What if a person is referred to the civil transitions program multiple times? (1) DDA offers an intake and eligibility application to a person each time the person is referred to the civil transitions program.

(2) If the person has already been determined ineligible, under WAC 388-823-1080, DDA will process intake and eligibility requests if new information is available.

(3) Regardless of DDA eligibility, a person can request conditional services for up to six months.

(4) If the person has already received civil transitions program services and services were terminated under WAC 388-848-0240 (3) or (4), an updated conditional services or transition support services referral, including information about new charges and previous civil transitions program service terminations, is required.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0100, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0110 What if a participant withdraws from conditional services and then requests to resume services? (1) If a participant withdraws from conditional community first choice services before establishing DDA eligibility, the participant has 30 days to request to resume services. For the purposes of this subsection, "withdraw" means the participant formally requests to end the services.

(2) If a participant withdraws from conditional wraparound housing stability services or housing support, the participant has 30 days to request to resume services. Services will be subject to availability. For the purposes of this subsection, "withdraw" means the participant:

(a) Formally requests to end the service; or

(b) Declines to renew an expired housing support agreement.

(3) If a participant withdraws from wraparound housing stability services or housing support services, a new referral must be submitted in order to resume services. Services will be subject to availability. For the purposes of this subsection, "withdraw" means the participant:

(a) Formally requests to end the service;

(b) Declines to renew an expired household health and safety agreement; or

(c) Is out of contact with their wraparound housing stability provider or DDA case manager for more than seven consecutive calendar days without prior notification and DDA or the provider is unable to locate the participant.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0110, filed 11/13/25, effective 12/14/25.]

PARTICIPANT AGREEMENTS

WAC 388-848-0120 Must a participant sign a housing support agreement? To receive housing support from a contracted provider, an eligible participant must sign and adhere to a housing support agreement.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0120, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0130 Must a participant sign a household health and safety agreement? To receive transition support services from a state-operated community residential transitions provider, a participant must sign and adhere to a household health and safety agreement.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0130, filed 11/13/25, effective 12/14/25.]

PROVIDER REQUIREMENTS

WAC 388-848-0140 Who can apply to become a provider of wraparound housing stability? To apply to become a provider of wraparound housing stability, a person or entity must be contracted with DSHS to provide this service and must be an individual or organization that has specialized training to provide services to people with developmental disabilities:

(1) An alternative living provider under chapter 388-829A WAC;

(2) A community engagement provider under WAC 388-845-0655;

(3) A foundational community supports provider under chapter 182-559 WAC; or

(4) A supported living, group home, or group training home provider under chapters 388-101 and 388-101D WAC; or

(5) Organizations that provide services that promote skill development, improved functioning, increased independence, as well as reducing or eliminating the effects of illness or disability, including, but not limited to, organizations that provide supports for people with developmental disabilities.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0140, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0150 What qualifications or demonstrated knowledge apply to providers of wraparound housing stability? Before providing services, a provider of wraparound housing stability services must have:

(1) Knowledge of resources available in the client's community;

(2) Knowledge of community organizations, community projects and events, local government resources, and local businesses;

(3) Skill and knowledge necessary to find and engage with providers of community resources to support the client to build relationships and become an active member of their community; and

(4) The ability to support the client to develop skills that will address housing stability and access to resources in their preferred community.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0150, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0160 Do providers of wraparound housing stability have to complete a background check? A provider of wraparound housing stability must follow all background check requirements under chapters 388-113 and 388-825 WAC.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0160, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0170 Is a provider a mandated reporter? (1) A provider supporting a participant in the civil transitions program is a mandated reporter under chapter 74.34 RCW.

(2) In addition to mandatory reports to agents under chapter 74.34 RCW, the provider must also report to DDA an incident involving a participant that includes an allegation of abuse, improper use of restraint, neglect, personal or financial exploitation, or abandonment.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0170, filed 11/13/25, effective 12/14/25.]

STATE-OPERATED COMMUNITY RESIDENTIAL TRANSITIONS (SOCR-T)

WAC 388-848-0180 What services does state-operated community residential transitions (SOCR-T) provide? (1) State-operated community residential transitions (SOCR-T) provides the following:

(a) Functional assessment and positive behavior support;

(b) Wraparound housing stability services;

(c) Services assigned to SOCR-T in the client's person-centered service plan;

(d) Healthcare supports, including:

(i) Medication assistance and administration;

(ii) Delegated nursing tasks under WAC 246-840-910 through 246-840-970;

(iii) Assisting the client with healthcare appointments, including scheduling; and

(iv) Assisting the client to understand and follow their healthcare plans and recommendations.

(2) SOCR-T must provide the following to participants in the program:

(a) Daily meals and snacks;

(b) Toiletries and personal care items;

(c) Bedding;

(d) Access to laundry services;

(e) Access to a telephone;

(f) Community access; and

(g) Transportation to, and participation in, necessary appointments and activities.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0180, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0190 What are the responsibilities of state-operated community residential transitions (SOCR-T)? (1) State-operated community residential transitions (SOCR-T) must meet the requirements of:

(a) Each client's person-centered service plan (PCSP) when the PCSP identifies the service provider as responsible;

(b) Each client's individual instruction and support plan; and

(c) Transition support services to facilitate the client's move to their preferred long-term residential or other appropriate setting.

(2) SOCR-T must:

(a) Have a designated administrator;

(b) Ensure that clients have immediate access to staff, or the means to contact staff, at all times;

(c) Provide adequate staff to meet the needs of clients as identified in their PCSPs; and

(d) Retain each client's records for six years after date of discharge.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0190, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0200 What home safety requirements must be met by state-operated community residential transitions (SOCR-T)? (1) State-operated community residential transitions (SOCR-T) must ensure that the following home safety requirements are met for each client unless otherwise specified in the client's person-centered service plan:

(a) A safe and healthy environment;

(b) Accessible telephone equipment and a list of emergency contact numbers;

(c) An evacuation plan developed and practiced with the client;

(d) Unblocked door and window for emergency exit;

(e) A safe storage area for flammable and combustible materials;

(f) An operating smoke detector, with a light alarm for clients with hearing impairments;

(g) An accessible flashlight or other safe accessible light source in working condition; and

(h) Basic first-aid supplies.

(2) Unless otherwise specified in the client's person-centered service plan, SOCR-T must regulate household water temperature as follows:

(a) Maintain water temperature in the household no higher than 120 degrees Fahrenheit; and

(b) Check water temperature when the client first moves into the household and at least once every three months from then on.

(3) SOCR-T must keep records that indicate that requirements under this section are met for each client.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0200, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0210 Must a state-operated community residential transitions provider be certified? A state-operated community residential transitions provider must be certified under chapter 388-825A WAC.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0210, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0220 What qualifications must employees working in the SOCR-T program meet? To provide direct support to clients in a SOCR-T, a person must:

(1) Be age 18 or older;

(2) Have a high school diploma or GED;

(3) Have a nondisqualifying DSHS background check result under chapter 388-825 WAC at least every three years, or more frequently if requested by DSHS;

(4) Complete the training required under chapter 388-829 WAC;

(5) Complete nurse delegation training if delegation criteria are met under WAC 246-840-930.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0220, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0230 What training must employees working in the SOCR-T program complete? Employees working in the SOCR-T program must complete training under chapter 388-829 WAC.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0230, filed 11/13/25, effective 12/14/25.]

TERMINATING AND STOPPING SERVICES

WAC 388-848-0240 When may DDA terminate a participant's housing support or wraparound housing stability? DDA may terminate a participant's housing support or wraparound housing stability if:

(1) The participant has acquired alternate housing or is receiving residential habilitation services through DDA;

(2) The participant no longer needs the service;

(3) The participant does not adhere to conditions of the housing support agreement;

(4) The participant fails to follow applicable rules, laws, or court orders; or

(5) Legislative funding for the civil transitions program is no longer available.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0240, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0250 When may DDA terminate a participant's community first choice services? If a participant is determined not DDA-eligible, the participant may receive community first choice services for no more than six months from the first date of service.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0250, filed 11/13/25, effective 12/14/25.]

WAC 388-848-0260 When may state-operated community residential transitions (SOCR-T) decide to stop providing services? (1) State-operated community residential transitions (SOCR-T) may decide to stop providing services if SOCR-T determines and documents:

(a) The client has acquired housing or is receiving residential habilitation services through DDA;

(b) The client does not adhere to conditions of the health and safety agreement; or

(c) That the client's behavior jeopardizes:

(i) The client's health or safety; or

(ii) The health or safety of staff or other clients the provider supports.

(2) The notice of the provider's decision must include:

(a) The reason for the decision; and

(b) The effective date of the decision.

(3) For an emergency termination due to identified health and safety risks to the client, other residents, or program staff, the provider must notify, at least 72 hours before the effective date of the decision:

(a) The client;

(b) The client's legal representative, if applicable;

(c) The client's DDA case manager; and

(d) The relevant program manager.

[Statutory Authority: RCW 71A.12.030 and 10.77.675. WSR 25-23-045, s 388-848-0260, filed 11/13/25, effective 12/14/25.]