

**WAC 388-79A-005 Maximum amount of guardianship fees and related costs for a long-term care medicaid eligible client.** (1) As mandated by RCW 43.20B.460 and in accordance with RCW 11.92.180, the maximum amount of guardianship fees and related costs must not exceed the limits of this section when the person under guardianship is:

(a) A medicaid eligible client, residing in:

(i) A medical institution, as defined under WAC 182-500-0050;

(ii) An alternate living facility (ALF), as defined under WAC 182-513-1100; or

(iii) An at-home setting; and

(b) Required under chapter 182-513 WAC or chapter 182-515 WAC to participate towards the cost of long-term care.

(2) The maximum amount of guardianship fees and related costs must not exceed the limits of WAC 388-79A-010 when:

(a) The most recent court order establishing or continuing a guardianship was entered before June 1, 2018; and

(b) The client under guardianship was receiving medicaid-funded long-term care before June 1, 2018.

(3) For all other clients not described under subsection (2) of this section, the maximum amount of guardianship fees and related costs must not exceed the limits under WAC 182-513-1530.

[Statutory Authority: RCW 43.20B.460, 11.92.180, and 74.08.090. WSR 19-04-100, § 388-79A-005, filed 2/5/19, effective 3/8/19; WSR 18-10-067, § 388-79A-005, filed 4/30/18, effective 6/1/18.]