

WAC 388-829A-300 When must DDA deny the client's choice of an alternative living provider? DDA must deny a client's request to have a certain provider and must not enter into a contract with the person when any of the following exist:

(1) The person is the client's spouse, as required by 42 C.F.R. 441.360(g);

(2) The person is the client's natural/step/adoptive parent;

(3) The person is the client's court-appointed legal representative; or

(4) DDA has a reasonable, good faith belief that the provider will be unable to meet the client's needs. Examples of a provider's inability to meet the client's needs may include:

(a) Evidence of alcohol or drug abuse;

(b) A reported history of domestic violence, no-contact orders, or criminal conduct (whether or not the conduct is disqualifying under chapter 388-113 WAC);

(c) A report from the client's health care provider or another knowledgeable person that the requested provider lacks the ability or willingness to provide adequate support;

(d) Other employment or responsibilities that prevent or interfere with the provision of required services;

(e) A reported history of mismanagement of client funds or DSHS contract violations; or

(f) Excessive commuting distance that would make it impractical to provide services as they are needed and outlined in the client's ISP.

[Statutory Authority: RCW 71A.12.030, 71A.12.120, 43.43.842, 74.39A.056, 43.20A.710. WSR 14-14-029, § 388-829A-300, filed 6/24/14, effective 7/25/14. Statutory Authority: RCW 71A.12.30 [71A.12.030] and Title 71A RCW. WSR 07-16-101, § 388-829A-300, filed 7/31/07, effective 9/1/07.]