



Long-Term Services and Supports Trust (WA Cares Fund)

**Program administration, out-of-state participation, Self-
employed persons, designated representative, audits,
qualified individuals**

WSR # 26-12-058

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INTRODUCTION

As required under RCW 34.05.328, the Leave and Care Division of the Employment Security Department (department) is placing into the rulemaking file an implementation plan regarding new and amended rules for the Long-Term Services and Supports Trust Program (WA Cares Fund). The adopted rules implement and clarify portions of the program regarding self-employed election of coverage, out-of-state participation, designated representatives, audit procedures, and qualified individuals. An additional proposed rule provides an index of where to find rules for the portions of the program administered by Department of Social and Health Services and Health Care Authority.

New Rules:

WAC 192-901-001 Purpose and scope.

WAC 192-916-005 How can an individual continue participating if they move out of Washington state?

WAC 192-916-010 What happens after an individual applies for out-of-state participation?

WAC 192-916-015 Reporting and premium payment requirements for out-of-state participants.

WAC 192-916-020 Cancellation of coverage for out-of-state participants.

WAC 192-925-020 Can an individual designate a representative to act on their behalf?

Amended Rules:

WAC 192-915-005 Election of coverage for self-employed persons.

WAC 192-930-005 Audit procedures.

WAC 192-940-005 Earning years to become a qualified individual.

WAC 192-940-010 How will the department determine if someone is a qualified individual?

PLAN TO IMPLEMENT AND ENFORCE THE RULE

The content of the rules will be integrated into the program's technological functions to the extent possible to implement the changes, automate processes, and simplify the customer experience. The department will

integrate the new and amended rules into operational policy and discuss the rules with staff members. Resources and training will be available for staff members. Resources and information will also be shared with other agencies responsible for program administration.

PLAN TO INFORM AND EDUCATE AFFECTED PERSONS ABOUT THE RULE

Information regarding the new and amended rules will be posted on the department's website and included in all relevant online literature. Customer service staff members will be trained on the subject matter of the rules and will be available by phone and email to answer customer questions. Emails are sent to all mailing list subscribers summarizing the rulemaking processes and providing updates on any rules. Additional information, including the final text of the rules, will be available on the program's rulemaking website. Information and resources will be available on the WA Cares Fund website and there will be ongoing public outreach by administering agencies to ensure individuals are aware of requirements.

PLAN TO PROMOTE AND ASSIST VOLUNTARY COMPLIANCE

The plan to promote and assist voluntary compliance will be identical to the plan to inform and educate affected persons about the rules.

PLAN TO EVALUATE WHETHER THE RULES ACHIEVE THE PURPOSE FOR WHICH THEY WERE ADOPTED

The department will consider feedback from customers and the stakeholder community to gauge the effectiveness and understanding of the rules.