EXEMPTION DETERMINATION 2025-1

for

Lewis Mason Thurston Area Agency on Aging (LMT/AAA)
Local Area Agencies on Aging (AAAs) Providing In-Home Personal Care Services

August 10, 2025

WHEREAS**,** a certified participant in the Washington State Address Confidentiality Program (ACP) is authorized to use a designated substitute address when creating a new public record with a state or local government agency;

WHEREAS**,** Revised Code of Washington (RCW) 40.24.050, and regulations adopted under Washington Administrative Code (WAC) 434-840-070, provide for substitute address acceptance exemption determinations by the Secretary of State;

WHEREAS**,** the Lewis Mason Thurston Area Agency on Aging (LMT/AAA) is a governmental agency sponsored by Lewis, Mason, and Thurston counties to manage, monitor, plan, fund, coordinate and advocate for services and programs for disabled – primarily elderly - persons within its three-county region;

WHEREAS**,** the LMT/AAA has provided all necessary information and met all criteria established by statute and regulation for an exemption for purposes of establishing and managing long-term plans for in-home personal care services for ACP participants;

WHEREAS**,** the several regions of Washington State are respectively served by local area agencies on aging (AAAs), including the LMT/AAA, which perform the same functions as LMT/AAA by establishing long-term care plans;

WHEREAS**,** establishing an exemption that will apply uniformly across the several regions of Washington State will promote both the provision of necessary services and the safety of ACP participants through adoption of consistent practices;

WHEREAS**,** the Secretary of State finds that this exemption is consistent with and affirms the legislative intent stated in RCW 40.24.010; and

WHEREAS**,** the Secretary of State finds that this exemption is consistent with and promotes effective implementation of the Address Confidentiality Program;

NOW THEREFORE, the Secretary of State determines that:

(1) The LMT/AAA and the other AAAs officially established in Washington State have bona fide requirements for the actual address information of clients applying for or receiving inhome care in order to comply with the provisions of the Washington Administrative Code for long-term care services, including WAC 388-106-0047, WAC 388-106-1303, and WAC 388106-0050;

(2) The LMT/AAA and the other AAAs officially established in Washington State are exempt from the requirement established by RCW 40.24.050 to accept a designated substitute address for an ACP participant for the sole purposes of evaluation of clients' living situation and environment to determine suitability of in-home personal care services, as required by WAC 388-106-0047, WAC 388-106-1303, and WAC 388-106-0050, as well as to verify the provision of those services to the degree necessary under federal law;

PROVIDED THAT:

(1) An ACP participant's actual address information, provided for the purpose of evaluation of the participant's living situation and environment is used only for that purpose, while the ACP participant's ACP-issued address shall be used in the creation of all other records unless otherwise mandated by federal law;

(2) The AAA creating a record of its in-home personal care services client's physical address shall maintain and have readily available for inspection by the ACP Manager or his or her designee, a record including the names, titles, agency affiliation and work telephone numbers of those individuals having access to the ACP participant's actual address information, of the need for this information, and the information destruction/purge date;

(3) The AAA creating a record of an ACP participant for in-home personal care services provides written notification to the ACP Manager within one week of this record creation;

(4) An ACP participant's actual address information is maintained only in paper format, is stored in a locked cabinet, and is neither microfilmed, electronically recorded, nor input to any electronic database, except to the extent explicitly required by federal law;

(5) An ACP participant's actual address information is purged from the records of all AAAs maintaining such records upon the ACP participant's termination of in-home personal care services with the agency;

(6) The AAA purging an ACP participant's actual address information provides written notification to the ACP Manager within one week of this record purge; and

(7) An ACP participant's actual address information provided for the purpose of electronic visit verification is only used for that purpose, consistent with the requirements of federal law.

Dated this 10 day of August, 2025

Colleen Overton

COLLEEN OVERTON,
Deputy Director, Operations
Office of the Secretary of State