



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017)
(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: June 30, 2023

TIME: 9:31 AM

WSR 23-14-092

Agency: Health Care Authority

Subject of possible rule making: WAC 182-504-0015, Washington apple health – Certification periods for categorically needy programs; WAC 182-504-0035, Washington apple health – Renewals; WAC 182-505-0210, Eligibility for children; other related rules as appropriate.

Statutes authorizing the agency to adopt rules on this subject: RCW 41.05.021, RCW 41.05.160

Reasons why rules on this subject may be needed and what they might accomplish: The Legislature directed the agency to pursue an 1115 Medicaid waiver to extend continuous eligibility for Washington Apple Health covered children ages zero through five. (Section 211(71), chapter 334, Laws of 2021 (ESSB 5092)). The Legislature provided funds for the agency to extend continuous eligibility for Washington Apple Health to children ages zero through five with income at or below 215 percent of the federal poverty level, with implementation conditioned on federal government approval. (Section 211(36), chapter 475, Laws of 2023 (ESSB 5187)). The agency received federal government approval of an 1115 Medicaid waiver application to provide continuous enrollment in Medicaid through age five for children with household income below 215 percent of the federal poverty level at the time of application. The agency is amending rules to implement this continuous enrollment. The agency filed an emergency rule under WSR 23-14-090 to give this change immediate effect. During this review, HCA may identify additional related changes that are required to improve clarity or update policy.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: United States Department of Health and Human Services, Centers for Medicare and Medicaid Services

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study

☒ Other (describe) The agency welcomes the public to take part in developing this rule. If interested, contact the person

identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rulemaking (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Brian Jensen (Rulemaking Questions)
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Email: brian.jensen@hca.wa.gov
Web site: www.hca.wa.gov/about-hca/rulemaking
Other:

(If necessary)

Name: Shaunie Long (Program Questions)
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Other:

Additional comments:

Date: June 30, 2023	Signature: 
Name: Wendy Barcus	
Title: HCA Rules Coordinator	