



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Health Care Authority (HCA), Medicaid Program

Subject of possible rule making: Eligibility rules for institutional medical assistance programs, including Chapters 182-513, 182-515, 182-516 and WAC 182-507-0125 and possibly other related rules, along with the creation of new regulations to support the implementation of the Patient Protection and Affordable Care Act (PPACA), changes made due to HB 1738 and adding language from Section 1917 of the Social Security Act.

Statutes authorizing the agency to adopt rules on this subject:

RCW 41.05.021; chapter 74.39 RCW; Patient Protection and Affordable Care Act established under Public Law 111-148; and Code of Federal Regulations at 42 CFR § 431, 435, and 457, and at 45 CFR § 155. Section 1917 of the Social Security Act.

Reasons why rules on this subject may be needed and what they might accomplish:

HCA needs to amend rules, create new rules in order to implement new federal regulations under PPACA and:

- Adding language in chapter 182-561 from Section 1917 of the Social Security Act regarding the purchase of a life estate, promissory notes and loans.
- Clarify language from Section 1917 of the Social Security Act regarding otherwise eligible.
- Clarify language regarding countable assets for institutional services
- Update links and references and changing language for readability and clarity
- Other necessary changes on these subjects may be incorporated into this rule making. Other WAC chapters may need to be updated as a result of this rule making.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

Department of Social and Health Services - Economic Services Administration, Aging and Disability Supports Administration, Developmental Disability Services Administration, Behavioral Health and Service Integration Administration.

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

HCA welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, HCA will file a notice of proposed rule-making (CR-102) with the Office of the Code Reviser. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Contact: Lori Rolley, Home & Community Services Administration

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Phone: 360-725-2271 Fax: 360-407-758

E-mail: Lori.Rolley@dshs.wa.gov

DATE
March 5, 2013

NAME (TYPE OR PRINT)
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TITLE
HCA Rules Coordinator

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STATE OF WASHINGTON
FILED

DATE: March 05, 2013

TIME: 2:07 PM

WSR 13-06-054