



PREPROPOSAL STATEMENT OF INQUIRY

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

Agency: Health Care Authority, Washington Apple Health

Subject of possible rule making:

WAC 182-516-0100 Trusts, other related rules as appropriate

Statutes authorizing the agency to adopt rules on this subject:

RCW 41.05.021, 41.05.160, 21st Century Cures Act, Title V – Savings, Sec. 5007 Fairness in Medicaid supplemental needs trusts (Section 1917(d)(4)(A) of the Social Security Act/42 U.S.C. 1396p(d)(4)(A)).

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

The WAC needs to be amended to implement Title V, Sec. 5007 the 21st Century Cures Act to allow for a person to create his or her own D4A special needs trust. The agency also needs to revise references to incorrect WAC citations in WAC 182-516-0100. During the course of this review, the agency may identify additional changes that are required in order 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:

N/A

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.

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

Contact:
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DATE
February 10, 2017

NAME (TYPE OR PRINT)
Wendy Barcus

SIGNATURE


TITLE
HCA Rules Coordinator

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