



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (August 2017) (Implements RCW 34.05.310) Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: September 25, 2017

TIME: 9:44 AM

WSR 17-20-016

Agency: Health Care Authority, Washington Apple Health

Subject of possible rule making:

182-513-1215 Community First Choice - eligibility

182-513-1220 Community First Choice - Spousal impoverishment protections for noninstitutional WA Apple Health clients

Other related rules, as appropriate.

Statutes authorizing the agency to adopt rules on this subject: RCW 41.05.021, 41.05.160, section 2404 of the Affordable Care Act amending section 1924 of the Social Security Act.

Reasons why rules on this subject may be needed and what they might accomplish: Section 2404 of the Affordable Care Act amended section 1924 of the Social Security Act, for the five-year period beginning January 1, 2014, to require states to apply the spousal impoverishment rules to additional individuals receiving long-term services and supports under 1915(d). This amendment will end the time-limited spousal impoverishment provisions for the Community First Choice program. 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: Department of Social and Health Services (DSHS) / Aging and Long-Term Support Administration (AL TSA)

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:

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Other:

(If necessary)

Name:
Address:
Phone:
Fax:
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Email:
Web site:
Other:

Additional comments:

Date: September 25, 2017

Name: Wendy Barcus

Title: HCA Rules Coordinator

Signature: