



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: February 16, 2018

TIME: 11:18 AM

WSR 18-05-068

Agency: Health Care Authority

Subject of possible rule making:

Chapter 182-551 WAC, Subchapter II–Home Health Services; other related rules as appropriate

Statutes authorizing the agency to adopt rules on this subject: RCW 41.05.021, 41.05.160, 42 CFR Part 440

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

The agency is amending these rules as a result of federal regulations published in February 2016 under 42 C.F.R. 440, requiring that physicians document the occurrence of a face-to-face encounter (including through the use of telemedicine) within reasonable timeframes when ordering home health services for Medicaid eligible clients. The federal regulations also clarify that home health services are not restricted to clients who are homebound or to services furnished solely in the home. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

The agency previously filed a Preproposal Statement of Inquiry to begin rulemaking on these sections in 2016 under WSR 16-11-094. The agency withdrew the previously filed Preproposal Statement of Inquiry under WSR 18-05-031 and is rewriting the proposed rules.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: Centers for Medicare and Medicaid Services (CMS)

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: Melinda Froud
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 Other:

(If necessary)

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

Additional comments:

Date: February 16, 2018	Signature: 
Name: Wendy Barcus	
Title: HCA Rules Coordinator	