



# 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: July 30, 2019

TIME: 10:32 AM

WSR 19-16-054

**Agency:** Health Care Authority

**Subject of possible rule making:** 182-501-0200 Third-party resources; other related rules as appropriate.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 41.05.021; RCW 41.05.160; 42 USC 1396a(a)(25)(E) as amended by Section 53102(a)(1) of the Bipartisan Budget Act of 2018, Third Party Liability in Medicaid and CHIP)

**Reasons why rules on this subject may be needed and what they might accomplish:** The agency is revising this section to strike subsection (2)(a) to align with changes in 42 USC 1396a(a)(25)(E) which removed prenatal care from the list of medical services that the agency pays and then seeks reimbursements from a liable third party. State Medicaid agencies must use standard coordination of benefits cost avoidance when processing prenatal services claims. During the course of this review, the agency may identify additional related 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:** 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: Valerie Smith (Rulewriter)  
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Other:

(If necessary)

Name: Mark Benya (Program Questions)  
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Other:

Additional comments:

**Date:** July 30, 2019

**Name:** Wendy Barcus

**Title:** HCA Rules Coordinator

**Signature:**