



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: November 05, 2019

TIME: 1:25 PM

WSR 19-22-071

Agency: Health Care Authority

Subject of possible rule making: WAC 182-530-4050 Drug use and claims review. Other related rules as appropriate.

Statutes authorizing the agency to adopt rules on this subject: RCW 41.05.021, 41.05.160, H.R. 6, Section 1004, 42 U.S.C. 1396a(a) and 42 U.S.C. 1396r-8(g).

Reasons why rules on this subject may be needed and what they might accomplish: The agency is revising this rule to comply with the requirements of section 1004 of the Support for Patients and Communities Act under 42 U.S.C. 1396a(a) by more accurately detailing the drug use review (DUR) activities to include reference to prior authorization requirements and include the activities of prescribing practitioners in addition to dispensing pharmacies. The agency is also revising subsection (1)(b) to update language in accordance with the Support Act. 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: The 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, Rules Program Manager
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(If necessary)

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Other:

Additional comments:

Date: November 5, 2019

Name: Wendy Barcus

Title: HCA Rules Coordinator

Signature: