



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (August 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 03, 2020

TIME: 12:25 PM

WSR 20-06-065

Agency: Health Care Authority

Subject of possible rule making:

WAC 182-513-1363 Evaluating an asset transfer for clients applying for or receiving long-term care (LTC) services
WAC 182-516 Trusts, annuities, life estates, and promissory notes – effect on medical programs
Other related rules as appropriate.

Statutes authorizing the agency to adopt rules on this subject: RCW 41.05.021, RCW 41.05.160, RCW 74.09.585, 42 USC 1396p(c)

Reasons why rules on this subject may be needed and what they might accomplish: The agency is amending these sections to provide clarity that certain asset transfers can still cause a penalty, even if compensation is made. 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 Center for Medicare and Medicaid Services (CMS), The Department of Social and Health Services (DSHS)

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 Freudenstein (Rulemaking Questions)
 Address: PO Box 42716, Olympia, WA 98504-2716
 Phone: 360-725-1344
 Fax: 360-586-9727
 TTY: Telecommunication Relay Services (TRS): 711
 Email: valerie.freudenstein@hca.wa.gov
 Web site: www.hca.wa.gov/about-hca/rulemaking
 Other:

(If necessary)

Name: Stephen Kozak (Program Questions)
 Address: PO Box 45534, Olympia, WA 98504-5534
 Phone: 360-725-1343
 Fax: 360-586-9727
 TTY: Telecommunications Relay Services (TRS): 711
 Email: Stephen.kozak@hca.wa.gov
 Web site: www.hca.wa.gov/about-hca/rulemaking
 Other:

Additional comments:

Date: March 3, 2020

Name: Wendy Barcus

Title: HCA Rules Coordinator

Signature: