



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: April 24, 2020

TIME: 3:31 PM

WSR 20-10-012

Agency: Health Care Authority

Subject of possible rule making: New section WAC 182-502-0016A, Continuing requirements – Residential treatment facilities; Other related rules as appropriate.

Statutes authorizing the agency to adopt rules on this subject: RCW 71.24.035, RCW 71.24.520, RCW 71.24.585, and 42 USC 1315 (Sec. 1115)

Reasons why rules on this subject may be needed and what they might accomplish: The agency is creating a new section within this chapter to meet the Centers for Medicare and Medicaid Services (CMS) milestone requirement 3 regarding the agency's Section 1115 Substance Use Disorder (SUD) Waiver Implementation Plan. Milestone 3 requires the adoption of rules reflecting the requirement that residential treatment facilities offer medication assisted treatment access on-site or facilitate off-site access. The agency is also initiating this rulemaking to implement provisions of RCW 71.24.585 related to behavioral health agencies and medication assisted treatment. 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 & Medicaid Services (CMS) via State Plan Amendment

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: Jessica Blose (Program Questions)

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Other:

Additional comments:

Date: April 24, 2020	Signature: 
Name: Wendy Barcus	
Title: HCA Rules Coordinator	