



PREPROPOSAL STATEMENT OF INQUIRY

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

Do **NOT** use for expedited rule making

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FILED

DATE: June 26, 2020

TIME: 10:10 AM

WSR 20-14-056

Agency: Health Care Authority

Subject of possible rule making:

WAC 182-538-060 Managed care choice and assignment;

WAC 182-538-067 Qualifications to become a managed care organization in integrated managed care;

Other related rules as appropriate.

Statutes authorizing the agency to adopt rules on this subject: RCW 41.05-021, 41.05.160

Reasons why rules on this subject may be needed and what they might accomplish: The agency is amending WAC 182-538-060 and 182-538-067 to help ensure (1) the viability of Apple Health Integrated Managed Care (IMC) plans; (2) adequate performance by the IMC plans; (3) sufficient access to care for Medicaid clients in IMC; and (4) the continued availability of an adequate network of physical and behavioral health providers in IMC plans. HCA is amending WAC 182-538-060 to limit the auto-assignments of Medicaid clients to IMC plans. In particular, HCA will prevent auto-assignments of new clients to any plan that has a statewide market share of greater than 40% in Apple Health IMC. This rule does not affect voluntary plan choices by clients, the Family Connect policy, or the Plan Reconnect policy. HCA is amending WAC 182-538-067 to clarify when the agency will adjust the number of its IMC plans, either overall or on a region-to-region basis. In determining whether to make any such adjustment, HCA will consider statutory requirements as well as enrollment needs, the performance of the plans with respect to behavioral health integration, and the promotion of access to care for behavioral health services. 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: Department of Health and Human Services, Centers for Medicare and Medicaid Services

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: Brian Jensen (Rulemaking Questions)
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Email: brian.jensen@hca.wa.gov
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Other:

(If necessary)

Name: Alice Lind (Program Questions)
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Other:

Additional comments:

Date: June 26, 2020	Signature: 
Name: Wendy Barcus	
Title: HCA Rules Coordinator	