



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: January 19, 2021

TIME: 10:46 AM

WSR 21-03-069

Agency: Health Care Authority

Subject of possible rule making: 182-513-1100 Definitions related to long-term services and supports (LTSS)

182-513-1215 Community first choice (CFC) – Eligibility

182-513-1220 Community first choice (CFC) – Spousal impoverishment protections for noninstitutional Washington Apple health clients

182-513-1235 Roads to community living (RCL)

182-513-1660 Medicaid alternative care (MAC) and tailored supports for older adults (TSOA)-Spousal impoverishment

Other related rules as appropriate.

Statutes authorizing the agency to adopt rules on this subject: RCW 41.05.021, 41.05.160, Consolidated Appropriations Act of 2021, H.R. 133, Division CC, Title II, Sec. 204 (b)(1)(A) and Sec. 205

Reasons why rules on this subject may be needed and what they might accomplish: The agency is revising these sections as allowed in the Consolidated Appropriations Act of 2021 extension of spousal impoverishment protections and updating the time frame for institutionalization for Roads to Community Living (RCL) from 90 days to 60 days. 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 Social and Health 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: Valerie Freudenstein(Rulemaking Questions)

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Other:

(If necessary)

Name: Stephen Kozak (Program Questions)

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Other:

Additional comments:

Date: January 19, 2021

Name: Wendy Barcus

Title: HCA Rules Coordinator

Signature:

