



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: February 01, 2021

TIME: 12:30 PM

WSR 21-04-112

**Agency:** Health Care Authority

**Subject of possible rule making:** Chapter 182-531A WAC Applied behavioral analysis (ABA); 182-501-0060 Health care coverage – Program benefit packages – Scope of service categories. 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:** In WAC 182-531A, the agency is revising these rules to remove the age limits and changing the term child or children to client for applied behavioral analysis (ABA). In WAC 182-501-0600, the agency is updating the “N” (No) to a “Y” (Yes) in the ABA covered services table for ABP 21+, CN 21+ and MN 21+. The agency is also adding a Y to the covered services table for Ambulance (ground and air) ABP 21+, which was erroneously missing. 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)

**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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Web site: [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking)

Other:

(If necessary)

Name: Annette Schuffenhauer (Program Questions)

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Other:

Additional comments:

**Date:** February 1, 2021

**Name:** Wendy Barcus

**Title:** HCA Rules Coordinator

**Signature:**