



# PREPROPOSAL STATEMENT OF INQUIRY

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

Do NOT use for expedited rule making

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FILED

DATE: September 20, 2022

TIME: 3:32 PM

WSR 22-19-087

**Agency:** Health Care Authority

**Subject of possible rule making:** 182-531A-1200, Applied behavior analysis (ABA) – Services provided via telemedicine; other related rules as appropriate.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 41.05.021, RCW 41.05.160, ESSB 1196, 67<sup>th</sup> Legislature, 2021 Regular Session

**Reasons why rules on this subject may be needed and what they might accomplish:** The agency is revising this section to remove the information regarding telemedicine and add a cross reference to new rules that the agency is developing for audio-only telemedicine, in alignment with ESSB 1196. The new audio-only rules will reside in new section WAC 182-501-0300 and is being developed under a different rulemaking filed under WSR 21-15-065. The agency is removing this information from various chapters in Title 182 and creating this one-stop shop rule for audio-only telemedicine. During the course of this review, HCA 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:** RCW 41.05.021, RCW 41.05.160, ESSB 1196, 67<sup>th</sup> Legislature, 2021 Regular Session.

**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](mailto:Valerie.freudenstein@hca.wa.gov)  
 Web site: [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking)  
 Other:

(If necessary)

Name: Melissa Kunder (Program Questions)  
 Address: PO Box 45502, Olympia WA 98504-5502  
 Phone: 360-725-5297  
 Fax: 360-586-9727  
 TTY: Telecommunication Relay Services (TRS): 711  
 Email: [Melissa.Kunder@hca.wa.gov](mailto:Melissa.Kunder@hca.wa.gov)  
 Web site: [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking)  
 Other:

Additional comments:

**Date:** September 20, 2022

**Name:** Wendy Barcus

**Title:** HCA Rules Coordinator

**Signature:**