



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017)
(Implements RCW 34.05.350
and 34.05.360)

CODE REVISER USE ONLY

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STATE OF WASHINGTON
FILED

DATE: May 01, 2025

TIME: 11:16 AM

WSR 25-10-047

Agency: Health Care Authority

Effective date of rule:

Emergency Rules

- ☐ Immediately upon filing.
☒ Later (specify) May 5, 2025

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- ☐ Yes ☒ No If Yes, explain:

Purpose: The agency is reducing the eligibility period for refugee medical assistance from twelve months to four months for persons whose date of eligibility is on or after May 5, 2025. This reduction requires amendments to WAC 182-507-0130, Refugee medical assistance

Citation of rules affected by this order:

New:
Repealed:
Amended: 182-507-0130
Suspended:

Statutory authority for adoption: RCW 41.05.021, 41.05.160

Other authority: 45 CFR 400.211

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- ☐ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
☒ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.


Reasons for this finding: The director of the federal Office of Refugee Resettlement is authorized to determine the eligibility period for refugee medical assistance by publishing a final notice in the Federal Register. The director published such a notice on March 21, 2025 (90 FR 13370), which is effective 45 days after the date of publication. This emergency filing is necessary to implement this eligibility period reduction while the permanent rulemaking process is completed.

Note: If any category is left blank, it will be calculated as zero.
No descriptive text.

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	1	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:				
	New	_____	Amended	_____ Repealed _____
The number of sections adopted on the agency’s own initiative:				
	New	_____	Amended	_____ Repealed _____
The number of sections adopted in order to clarify, streamline, or reform agency procedures:				
	New	_____	Amended	<u>1</u> Repealed _____
The number of sections adopted using:				
Negotiated rule making:	New	_____	Amended	_____ Repealed _____
Pilot rule making:	New	_____	Amended	_____ Repealed _____
Other alternative rule making:	New	_____	Amended	<u>1</u> Repealed _____
Date Adopted: May 1, 2025			Signature: 	
Name: Wendy Barcus				
Title: HCA Rules Coordinator				

WAC 182-507-0130 Refugee medical assistance (RMA). (1) You are eligible for refugee medical assistance (RMA) if all the following conditions are met. You:

(a) Meet immigration status requirements of WAC 182-507-0135;
(b) Have countable resources below \$2,000 on the date of application;

(c) Have countable income equal to or below 200 percent of the federal poverty level (FPL) on the date of application. The following income is not considered when determining eligibility for RMA:

(i) Resettlement cash payments made by the voluntary agency (VOLAG);

(ii) Income of a sponsor is not counted unless the sponsor is also part of your assistance unit; and

(iii) Income received after the date of application.

(d) Provide the name of the VOLAG which helped bring you to the United States so that the department of social and health services (DSHS) can promptly notify the VOLAG (or sponsor) about the medical application.

(2) If you receive refugee cash assistance (RCA) you are eligible for RMA if you have countable resources below \$2,000 on the date of application and you are not otherwise eligible for another medicaid or children's health care program as described in WAC 182-505-0210. You do not have to apply for or receive RCA in order to qualify for RMA.

(3) You are not eligible to receive RMA if you are:

(a) Already eligible for another medicaid or children's health care program as described in WAC 182-505-0210;

(b) A full-time student in an institution of higher education unless the educational activity is part of a DSHS-approved individual responsibility plan (IRP); or

(c) A nonrefugee spouse of a refugee.

(4) If approved for RMA, the agency or its designee issues an approval letter in both English and your primary language. The agency or its designee also sends a notice every time there are any changes or actions taken which affect your eligibility for RMA.

(5) You may be eligible for RMA coverage of medical expenses incurred during the three months prior to the first day of the month of the application. Eligibility determination will be made according to medicaid rules.

(6) If you are a victim of human trafficking you must provide the following documentation and meet the eligibility requirements in subsections (1) and (2) of this section to be eligible for RMA:

(a) Adults, 18 years of age or older, must provide the original certification letter from the United States Department of Health and Human Services (DHHS). No other documentation is needed. The eligibility period will be determined based on the entry date on your certification letter;

(b) A child victim under the age of 18 does not need to be certified. DHHS issues a special letter for children. Children also have to meet income eligibility requirements;

(c) A family member of a certified victim of human trafficking must have a T-2, T-3, T-4, or T-5 visa (derivative T-Visas), and the family member must meet eligibility requirements in subsections (1) and (2) of this section.

(7) The entry date for an asylee is the date that asylum status is granted. For example, you entered the United States on December 1, 1999, as a tourist, then applied for asylum on April 1, 2000, interviewed with the asylum office on July 1, 2000, and were granted asylum on September 1, 2000. The date of entry is September 1, 2000, and that is the date used to establish eligibility for RMA.

(8) RMA certification period.

(a) RMA ends on either:

(i) The last day of the eighth month from the month the person entered the United States if they entered the United States on or before September 30, 2021. For example, if they entered the United States on September 30, 2021, they are eligible through April 30, 2022; ~~((or))~~

(ii) The last day of the 12th month from the month the person entered the United States if they entered the United States on or after October 1, 2021, through May 4, 2025. For example, if they entered the United States on October 25, 2021, they are eligible through September 30, 2022; or

(iii) The last day of the fourth month from the month the person entered the United States if they entered the United States on or after May 5, 2025. For example, if they entered the United States on June 20, 2025, they are eligible through September 30, 2025.

(b) You may receive RMA benefits for more months if you are in a category of persons for whom the federal Office of Refugee Resettlement has extended the eligibility period.

(9) If you are approved for RMA you are continuously eligible through the end of the initial RMA certification period, regardless of an increase in income.

(10) The agency, or its designee, determines eligibility for medicaid and other medical programs for your spouse when the spouse arrives in the United States. If the spouse is not eligible for medicaid due to your countable income, the spouse is still eligible for RMA under subsection (8) of this section.

(11) If you disagree with a decision or action taken on the case by the agency, or its designee, you have the right to request a review of the case action(s) or request an administrative hearing (see chapter 182-526 WAC). The request must be received by the agency, or its designee, within 90 days of the date of the decision or action.