



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

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STATE OF WASHINGTON
FILED

DATE: April 23, 2018

TIME: 8:27 AM

WSR 18-10-014

Agency: Health Care Authority

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

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

Yes No If Yes, explain:

Purpose: This section is being revised to:

- (1) Clarify when a valid Social Security Number (SSN) or proof of application for an SSN is not required to be provided to be eligible for Apple Health or Tailored Supports for Older Adults (TSOA)
- (2) Clarify requirements for exceptions to not providing an SNN
- (3) Clarify the requirement for confirming with the agency that the exception to providing an SSN still applies
- (4) Clarify what must be provided if an SSN is not known or has not been issued
- (5) Clarify that if a household member is required to provide an SSN and fails to do so, it may result in denial or termination

Citation of rules affected by this order:

New:

Repealed:

Amended: 182-503-0515

Suspended:

Statutory authority for adoption: RCW 41.05.021, 41.05.160

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 18-04-065 on February 1, 2018 (date).

Describe any changes other than editing from proposed to adopted version:

Proposed/Adopted	WAC Subsection	Reason
Original WAC # 182-503-0515 Washington apple health – Social Security number requirements		
Proposed	<u>(7) If you are a household member required under subsection (2)(b) of this section to provide an SSN (such as a spouse, community spouse, parent, or sponsor), and you do not meet any other exception under subsection (2) of this section, failure to provide your SSN may result in denial or termination because we cannot verify your household's resource eligibility.</u>	In response to stakeholder comments, the agency revised subsection (7).
Adopted	<u>(7) If you are required to provide an SSN under this section, and you do not meet an exception under subsection (2) of this section, failure to provide your SSN may result in:</u> <u>(a) Denial of your application or termination of your coverage because we cannot determine your household's eligibility; or</u> <u>(b) Inability to apply the community spouse resource allocation (CSRA) or monthly maintenance needs allowance (MMNA) for a client of long-term services and supports (LTSS).</u>	

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:
TTY:
Email:
Web site:
Other:

**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	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	___	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	<u>1</u>	Repealed	___
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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: April 23, 2018

Name: Wendy Barcus

Title: HCA Rules Coordinator

Signature:



WAC 182-503-0515 Washington apple health—Social Security number requirements. (1) To be eligible for Washington apple health ~~((WAH))~~ (medicaid), or tailored supports for older adults (TSOA) described in WAC 182-513-1610, you (the applicant or recipient) must provide your valid Social Security number (SSN) or proof of application for an SSN to the medicaid agency or the agency's designee, except as provided in subsections ~~((5))~~ (2) and (6) of this section.

~~(2) ((If you are not able to provide your SSN, either because you do not know it or it has not been issued, you must provide:~~

~~(a) Proof from the Social Security Administration (SSA) that you turned in an application for an SSN; and~~

~~(b) The SSN when you receive it.~~

~~(3) Your WAH coverage will not be delayed, denied or terminated while waiting for SSA to send you your SSN.~~

~~(4) If you do not provide your SSN, then you will not receive WAH coverage except if you:~~

~~(a) Refused to apply for or provide your SSN for religious reasons;~~

~~(b) Claim good cause for not providing your SSN because of domestic violence;~~

~~(c) Have a newborn as described in WAC 182-505-0210(1). A newborn is eligible for WAH coverage until the baby's first birthday.~~

~~(5) There is no SSN requirement for the following:~~

~~(a) WAH refugee medical;~~

~~(b) WAH alien emergency medical;~~

~~(c) WAH programs for children and pregnant women who do not meet citizenship criteria described in WAC 182-503-0535;~~

~~(d) A household member who is not applying for WAH coverage.~~

~~(6) If you are a "qualified" or "nonqualified" alien as defined in WAC 182-503-0530 who is not authorized to work in the U.S., you do not have to apply for a nonwork SSN.) An SSN is not required if you are:~~

(a) Not eligible to receive an SSN or may only be issued an SSN for a valid nonwork reason described in 20 C.F.R. 422.104;

(b) A household member who is not applying for apple health coverage, unless verification of that household member's resources is required to determine the eligibility of the client;

(c) Refusing to obtain an SSN for well-established religious objections as defined in 42 C.F.R. 435.910(h) (3); or

(d) Not able to obtain or provide an SSN because you are a victim of domestic violence.

(3) If you are receiving coverage because you meet an exception under either subsection (2)(c) or (d) of this section, we (the agency) will confirm with you at your apple health renewal, consistent with WAC 182-503-0050, that you still meet the exception.

(4) If we ask for confirmation that you continue to meet an exception in subsection (2) of this section and you do not respond in accordance with subsection (3) of this section, or if you no longer meet an exception and do not provide your SSN, we will terminate your apple health coverage according to WAC 182-518-0025.

(5) If you are not able to provide your SSN, either because you do not know it or it has not been issued, you must provide:

(a) Proof from the Social Security Administration (SSA) that you turned in an application for an SSN; and

(b) The SSN when you receive it.

(i) Your apple health coverage will not be delayed, denied, or terminated while waiting for SSA to send you your SSN. If you need help applying for an SSN, assistance will be provided to you.

(ii) We will ask you every ninety days if your SSN has been issued.

(6) An SSN is not required for the following apple health programs:

(a) Refugee medical assistance program described in WAC 182-507-0130;

(b) Alien medical programs described in WAC 182-507-0115, 182-507-0120, and 182-507-0125;

(c) Newborn medical program described in WAC 182-505-0210 (2)(a);

(d) Foster care program for a child age eighteen and younger as described in WAC 182-505-0211(1); or

(e) Medical programs for children and pregnant women who do not meet citizenship or immigration status described in WAC 182-503-0535 (2)(e)(ii) and (iii).

(7) If you are required to provide an SSN under this section, and you do not meet an exception under subsection (2) of this section, failure to provide your SSN may result in:

(a) Denial of your application or termination of your coverage because we cannot determine your household's eligibility; or

(b) Inability to apply the community spouse resource allocation (CSRA) or monthly maintenance needs allowance (MMNA) for a client of long-term services and supports (LTSS).