



# RULE-MAKING ORDER PERMANENT RULE ONLY

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: November 30, 2018**

**TIME: 1:49 PM**

**WSR 18-24-077**

**Agency:** Health Care Authority

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) January 1, 2019 (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 rulemaking is necessary to implement Substitute Senate Bill 5883 which directs the agency to develop and implement a three-year pilot program to test the effect that enhanced dental benefits for adult Medicaid clients with diabetes and pregnant Medicaid clients have on access to dental care, health outcomes, and medical care costs. The pilot program must include enhanced reimbursement rates for specific current dental terminology codes for participating providers and an increase in the allowable number of periodontal treatments to up to four per calendar year.

**Citation of rules affected by this order:**

New: 182-535-1270  
 Repealed:  
 Amended:  
 Suspended:

**Statutory authority for adoption:** RCW 41.05.021, 41.05.160, Substitute Senate Bill 5883

**Other authority:**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 18-20-118 on October 3, 2018 (date).  
 Describe any changes other than editing from proposed to adopted version:

Proposed/Adopted	WAC Subsection	Reason
<b>WAC 182-535-1270 Oral health connection pilot project</b>		
Proposed	(3)(a) Age twenty-one or older;	Medicare clients are excluded from participation. The agency clarified age-range to align with age limits for Medicare eligibility.
Adopted	(3)(a) Age twenty-one to sixty-four;	
<b>WAC 182-535-1270 Oral health connection pilot project</b>		
Proposed	(3)(c) Receiving services under this oral health connections pilot project in Cowlitz, Spokane, or Thurston counties; and	Clarified what services the agency is referencing in (3)(c).
Adopted	(3)(c) Receiving services in subsection (6) of this section in Cowlitz, Spokane, or Thurston counties; and	
<b>WAC 182-535-1270 Oral health connection pilot project</b>		
Proposed	(3)(d) Referred by a nondental primary health care provider or a designated community organization to a qualified oral health connections pilot project dental provider.	Added "managed care organizations" to clarify that managed care organizations can refer enrollees to the pilot program.

Adopted	(3)(d) Referred by a nondental primary health care provider, managed care organization, or a designated community organization to a qualified oral health connections pilot project dental provider.	
<b>WAC 182-535-1270 Oral health connection pilot project</b>		
Proposed	(6)(a) One comprehensive oral exam, per client, per provider;	Added frequency as frequency is listed for other services in this WAC.
Adopted	(6)(a) One comprehensive oral exam, per client, per provider in a five-year period;	

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	<u>1</u>	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	<u>1</u>	Amended	___	Repealed	___
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**The number of sections adopted using:**

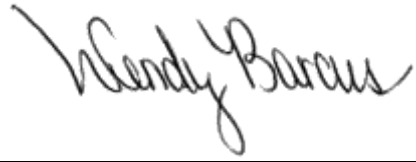
Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	<u>1</u>	Amended	___	Repealed	___

**Date Adopted:** November 30, 2018

**Name:** Wendy Barcus

**Title:** HCA Rules Coordinator

**Signature:**

A handwritten signature in black ink that reads "Wendy Barcus". The signature is written in a cursive style with a large initial 'W' and a long, sweeping underline.

NEW SECTION

**WAC 182-535-1270 Oral health connections pilot project.** (1) The oral health connections pilot project is effective for dates of service from January 1, 2019, through December 31, 2021.

(2) The purpose of the oral health connections pilot project is to test the effect that enhanced oral health services have on the overall health of diabetic or pregnant medicaid clients receiving services in Cowlitz, Spokane, and Thurston counties.

(3) To be eligible for the oral health connections pilot project, a client must be:

(a) Age twenty-one to sixty-four;

(b) Pregnant, diabetic, or both;

(c) Receiving services under subsection (6) of this section in Cowlitz, Spokane, or Thurston counties; and

(d) Referred by a nondental primary health care provider, managed care organization, or a designated community organization to a qualified oral health connections pilot project dental provider. For the purposes of this section, a designated community organization is defined as an auxiliary group or groups that partner with the agency and Arcora foundation to implement the oral health connections pilot project.

(4) A client who qualifies for the oral health connections pilot project due to pregnancy may continue receiving services through the duration of the maternity cycle as defined in WAC 182-533-0315, but must actually be pregnant at the start of services.

(5) The following are excluded from the oral health connections pilot project:

(a) Family planning only and TAKE CHARGE programs under chapter 182-532 WAC;

(b) Medical care services (MCS) program under WAC 182-508-0005; and

(c) Clients who are enrolled in both medicaid and medicare.

(6) Under the oral health connections pilot project, the medicaid agency pays an enhanced rate for the following services:

(a) One comprehensive oral exam, per client, per provider in a five-year period;

(b) One complete series of intraoral radiographic images per client in a three-year period;

(c) Four bitewing x-rays (radiographs) once per client in a twelve-month period;

(d) Periodontal scaling and root planing - Four or more teeth per quadrant, once per quadrant per client in a two-year period;

(e) Periodontal scaling and root planing - Three or more teeth per quadrant, once per quadrant per client in a two-year period; and

(f) Up to three additional periodontal maintenance visits in a twelve-month period. At least ninety days must elapse following periodontal scaling and root planing or at least ninety days must elapse following initial periodontal maintenance, and then every ninety days afterwards for a total of three additional periodontal maintenance visits per eligible client in a twelve-month period.

(7) The services listed in subsection (6) of this section are the only services the agency pays at the enhanced rate. The agency pays for all other covered dental services at the standard rate.

(8) To receive the enhanced rate, dental providers must:

- (a) Be enrolled to participate in the oral health connections pilot project;
  - (b) Meet the qualifications in WAC 182-535-1070;
  - (c) Provide the services in Cowlitz, Spokane, or Thurston counties; and
  - (d) Complete training designed specifically for the oral health connections pilot project.
- (9) The agency assigns a special identifier to providers who complete the training in subsection (8)(d) of this section which allows them to receive the enhanced rate.