



RULE-MAKING ORDER PERMANENT RULE ONLY

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

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STATE OF WASHINGTON
FILED

DATE: October 12, 2020

TIME: 2:28 PM

WSR 20-21-037

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: The agency is amending a rule to include resource standard requirements and adding a new rule to identify rules used to determine allocation or resources.

Citation of rules affected by this order:

New: 182-512-0950

Repealed:

Amended: 182-506-0015

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 20-15-078 on July 14, 2020 (date).

Describe any changes other than editing from proposed to adopted version: None

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

Name: N/A

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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New	___	Amended	___	Repealed	___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	<u>1</u>	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	Repealed	___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Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___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	<u>1</u>	Amended	<u>1</u>	Repealed	___

Date Adopted: October 12, 2020	Signature: 
Name: Wendy Barcus	
Title: HCA Rules Coordinator	

WAC 182-506-0015 Medical assistance units for non-MAGI-based Washington apple health programs. This section explains how medical assistance units (MAUs) are constructed for programs not based on modified adjusted gross income (MAGI) methodologies. (MAGI-based programs are described in WAC 182-503-0510.)

(1) An MAU is a person or group of people who must be included together when determining eligibility. MAUs are established based on each person's relationship to other family members and the person's financial responsibility for the other family members. MAUs for non-MAGI-based programs include an applicant and persons financially responsible for the applicant as described in subsection (2) of this section (as limited by subsection (3) of this section).

(2) Financial responsibility applies (~~only to spouses and to parents,~~) as follows:

(a) Married persons(~~(r)~~) living together are financially responsible for each other;

(b) Natural, adoptive, or step-parents are financially responsible for their unmarried, minor children living in the same household;

(c) Minor children are (~~not~~) financially responsible for (~~their parents or for their siblings~~) only themselves;

(d) Married persons(~~(financial responsibility)~~) not living together are financially responsible for each other to the extent described in WAC 182-512-0960 and chapters 182-513 and 182-515 WAC when (~~not living together because one or both are residing in a medical institution is described in chapter 182-513 WAC~~) one or both are residing in a medical institution, or one or both are applying for or receiving home and community-based services.

(3) The number of persons in the MAU is increased by one for each verified unborn child for each pregnant (~~woman~~) person already included in the MAU under this section.

(4) A separate SSI-related MAU is required for:

(a) SSI recipients, except for spouses who both receive SSI;

(b) SSI-related persons, except spouses whose eligibility is determined as a couple in chapters 182-511, 182-512, and 182-513 WAC;

(c) Institutionalized persons;

(d) The purpose of applying medical income and resource standards for an:

(i) SSI-related applicant whose spouse is not relatable to SSI or is not applying for SSI-related medical; and

(ii) Ineligible spouse of an SSI recipient.

(~~(5) When determining eligibility for an SSI-related medical program, the agency determines how household income is allocated and deemed to the SSI-related person according to the rules described in WAC 182-512-0820 and 182-512-0900 through 182-512-0960.~~)

NEW SECTION

WAC 182-512-0950 SSI-related medical—Child-related resource exclusions and allocations. The agency considers resources of financially responsible people to determine if a portion of the resources must be regarded as available to other household members.

(1) A portion of the resources of a parent or parents is available to the SSI-related child when the child is age seventeen or younger and the parent or parents are:

(a) Financially responsible for the SSI-related child as described in WAC 182-506-0015;

(b) The natural, adoptive, or step-parent of the child;

(c) Living in the same household with the child;

(d) Not receiving a needs-based payment such as temporary assistance to needy families (TANF), state-funded cash assistance (SFA) or SSI; and

(e) Not related to SSI or not applying for medical assistance.

(2) Resources that are deemed to the child are that child's resources.

(3) When determining whether a parent's resources are countable, the agency:

(a) Follows the resource rules described in WAC 182-512-0200 through 182-512-0300; and

(b) Excludes resources described in WAC 182-512-0350 through 182-512-0550, except for WAC 182-512-0550(16), where instead, the pension funds excluded are those owned by either parent.

(4) In determining eligibility of an SSI-related child, the child's resources include the value of the countable resources of the parent or parents that exceed the resource limit in WAC 182-512-0010 for:

(a) A person, if one parent lives in the household; or

(b) A couple, if two parents (or one parent and the spouse of that parent) live in the household.

(5) The SSI-related child is allowed all applicable resource exclusions and disregards described in this chapter from their own resources.

(6) If there is more than one child living in the household, the value of the deemed resources is divided equally among the children.

(7) An SSI-related child's total countable resources are the combination of the value of the deemed resources and the nonexcluded resources of the child.

(8) A child's countable resources are compared with the one-person resource standard under WAC 182-512-0010.