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 revised these rules to update language from "chemical" to "substance" and "detox" to "withdrawal management." Language updated to gender neutral terminology.

Citation of rules affected by this order:

- New:
- Repealed:
- Suspended:

Statutory authority for adoption: RCW 41.05.021, 41.05.160

Other authority: None

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 22-15-110 on July 19, 2022 (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:
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:

<table>
<thead>
<tr>
<th>Type of Statute</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal statute</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal rules or standards</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recently enacted state statutes</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Type of Request</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
</tr>
</thead>
</table>

The number of sections adopted on the agency’s own initiative:

<table>
<thead>
<tr>
<th>Type of Initiative</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
</tr>
</thead>
</table>

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

<table>
<thead>
<tr>
<th>Type of Reform</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
</tr>
</thead>
</table>

The number of sections adopted using:

<table>
<thead>
<tr>
<th>Type of Rule Making</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Negotiated rule making</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pilot rule making</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other alternative rule making</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Date Adopted:** August 24, 2022

**Name:** Wendy Barcus

**Title:** HCA Rules Coordinator

**Signature:**

[Signature]

[Page 2 of 2]
AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

WAC 182-533-0701 ((Chemical-using)) Substance-using pregnant ((CUP—women)) people (SUPP) program—Purpose. The ((chemical-using)) substance-using pregnant ((CUP—women)) people (SUPP) program provides immediate access to medical care in a hospital setting to ((chemical-using or chemical-dependent)) substance-using or substance-dependent pregnant ((women)) people and their fetuses. The purpose of the immediate access to medical care is to reduce harm to and improve birth outcomes for ((mothers)) birthing parents and their fetuses by preventing obstetric and prenatal complications related to ((chemical dependency)) substance use disorder.

AMENDATORY SECTION (Amending WSR 15-14-038, filed 6/24/15, effective 7/25/15)

WAC 182-533-0710 ((Chemical-using)) Substance-using pregnant ((CUP—women)) people (SUPP) program—Client eligibility. (1) To be eligible for the ((chemical-using)) substance-using pregnant ((CUP—women)) people (SUPP) program, a ((woman)) person must be:
   (a) Pregnant; and
   (b) Eligible for medicaid.
(2) A client eligible under subsection (1) of this section who is enrolled in ((a medicaid agency)) an agency-contracted managed care plan is eligible for ((SUPP)) SUPP services outside ((her)) their plan. ((CUP)) SUPP services and reimbursement are delivered outside a managed care plan and are subject to fee-for-services rules.
(3) A client receiving ((three-day or five-day detoxification)) withdrawal management services or secure withdrawal management services through the agency is not eligible for the ((CUP—women)) SUPP program.

AMENDATORY SECTION (Amending WSR 15-14-038, filed 6/24/15, effective 7/25/15)

WAC 182-533-0720 ((Chemical-using)) Substance-using pregnant ((CUP—women)) people (SUPP) program—Provider requirements. (1) The ((medicaid)) agency pays only those providers who:
(a) Have been approved by the agency to provide ((chemical-using)) substance-using pregnant ((CUP women)) people (SUPP) program services;
(b) Have been licensed and certified as ((chemical dependency service providers by the division of)) a behavioral health ((and recovery (DBHR) under chapter 388-077 WAC)) agency by the department of health (DOH) under chapter 246-341 WAC;
(c) Meet the department of health hospital ((accreditation standards)) licensing regulations in chapter 246-320 WAC; and
(d) Meet the general provider requirements in chapter 182-502 WAC;
(e) Are not licensed as an institution for mental disease (IMD) under Centers for Medicare and Medicaid Services (CMS) criteria).

(2) Providers must:
(a) Report any changes in their certification, level of care, or program operations to the agency ((CUP women)) SUPP program manager;
(b) Have written policies and procedures that include a working statement describing the purpose and methods of treatment for ((chemical-using or chemical-dependent)) substance-using or substance-dependent pregnant ((women)) people;
(c) Provide guidelines and resources for current medical treatment methods by specific ((chemical)) substance type;
(d) Have linkages with state and community providers to ensure a working knowledge exists of current medical and substance ((abuse)) use disorder resources; and
(e) Ensure that ((a chemical dependency)) an assessment for substance use disorders of the client has been completed:
   (i) By a ((chemical dependency)) substance use disorder professional under chapter 246-811 WAC;
   (ii) Using the latest criteria of the American Society of Addiction Medicine (ASAM); and
   (iii) No earlier than six months before, and no later than five days after, the client's admission to the ((CUP women)) SUPP program.

AMENDATORY SECTION (Amending WSR 15-14-038, filed 6/24/15, effective 7/25/15)

WAC 182-533-0730 ((Chemical-using)) Substance-using pregnant ((CUP women)) people (SUPP) program—Covered services. (1) The ((medicaid)) agency pays for the following covered services for a pregnant client and ((her)) their fetus under the ((chemical-using)) substance-using pregnant ((CUP women)) people (SUPP) program:
(a) Primary acute ((detoxification)) withdrawal management and medical stabilization;
(b) Secondary subacute ((detoxification)) withdrawal management and medical stabilization; and
(c) Rehabilitation treatment and services as determined by the provider.
(2) The maximum length of treatment per inpatient stay that the agency will pay for is ((twenty-six)) 26 days, unless additional days have been preauthorized by the agency ((CUP women)) (SUPP) program manager.
(3) If a client's pregnancy ends before inpatient treatment is completed, a provider may continue (her) treatment through the (twenty-sixth) 26th day.