



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: May 28, 2025

TIME: 9:15 AM

WSR 25-12-036

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 this rule to update the list of programs for which a person cannot be concurrently eligible with the Medicaid alternative care program.

Citation of rules affected by this order:

New:
Repealed:
Amended: 182-513-1605
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 25-09-049 on April 10, 2025 (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:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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New	_____	Amended	_____	Repealed	_____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New	_____	Amended	_____	Repealed	_____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	Repealed	_____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Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____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: May 28, 2025

Name: Wendy Barcus

Title: HCA Rules Coordinator

Signature:



WAC 182-513-1605 Medicaid alternative care (MAC)—Eligibility.

(1) The person receiving care must meet the financial eligibility criteria for medicaid alternative care (MAC).

(2) To be eligible for MAC services, the person receiving care must:

- (a) Be age 55 or older;
 - (b) Be assessed as meeting nursing facility level of care under WAC 388-106-0355, and choose to receive services under the MAC program instead of other long-term services and supports;
 - (c) Meet residency requirements under WAC 182-503-0520;
 - (d) Live at home and not in a residential or institutional setting;
 - (e) Have an eligible unpaid caregiver under WAC 388-106-1905;
 - (f) Meet citizenship and immigration status requirements under WAC 182-503-0535 (2)(a) or (b); and
 - (g) Be eligible for either:
 - (i) A noninstitutional medicaid program, which provides categorically needy (CN) or alternative benefit plan (ABP) scope of care under WAC 182-501-0060; or
 - (ii) An SSI-related CN program by using spousal impoverishment protections institutionalized (SIPI) spouse rules under WAC 182-513-1660.
- (3) An applicant whose eligibility is limited to one or more of the following programs is not eligible for MAC:
- (a) The medically needy program under WAC 182-519-0100;
 - (b) The medicare savings programs under chapter 182-517 WAC (~~((182-517-0300))~~);
 - (c) The (~~((family planning))~~) Washington apple health pregnancy and after-pregnancy coverage program under WAC 182-505-0115;
 - (d) The family planning only programs under chapter 182-532 WAC;
 - (e) The medical care services (MCS) program under WAC 182-508-0005;
 - (f) The alien emergency medical (AEM) program under WAC 182-507-0110 through 182-507-0120;
 - (g) The state funded long-term care for noncitizens program under WAC 182-507-0125;
 - (h) The kidney disease program under chapter 182-540 WAC; or
 - (i) The tailored supports for older adults (TSOA) program under WAC 182-513-1610.
- (4) The following rules do not apply to services provided under the MAC benefit:
- (a) Transfer of asset penalties under WAC 182-513-1363;
 - (b) Excess home equity under WAC 182-513-1350; and
 - (c) Estate recovery under chapter 182-527 WAC.