



# EXPEDITED RULE MAKING

## CR-105 (December 2017) (Implements RCW 34.05.353)

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STATE OF WASHINGTON  
FILED

DATE: June 12, 2018

TIME: 1:26 PM

WSR 18-13-049

**Agency:** Health Care Authority

**Title of rule and other identifying information:** (describe subject)  
Chapter 182-22 Washington health plan and basic health plan administration  
Chapter 182-23 Washington health plan  
Chapter 182-24 Basic health plan  
Chapter 182-25 Washington basic health plan

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**  
The agency is repealing these chapters as the programs no longer exist.

**Reasons supporting proposal:** See purpose.

**Statutory authority for adoption:** RCW 41.05.021, 41.05.160

**Statute being implemented:** RCW 41.05.021, 41.05.160

**Is rule necessary because of a:**

- |                         |                              |  |
|-------------------------|------------------------------|--|
| Federal Law?            | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

**Name of proponent:** (person or organization) Health Care Authority

Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Wendy Barcus	PO Box 42716, Olympia WA 98504-2716	(360) 725-1306
Implementation:	Preston Cody	PO Box 45502, Olympia WA 98504-5502	(360) 725-1786
Enforcement:	Preston Cody	PO Box 45502, Olympia WA 98504-5502	360) 725-1786

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** N/A

**Expedited Adoption - Which of the following criteria was used by the agency to file this notice:**

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

**Expedited Repeal - Which of the following criteria was used by the agency to file notice:**

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

**Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4):** The agency discontinued these state-funded programs in 2014 with the implementation of the Patient Protection and Affordable Care Act (ACA) of 2010 and Medicaid expansion along with the creation of the Washington Health Benefits Exchange.

**NOTICE**

**THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO**

Name: Wendy Barcus, Rules Coordinator  
Agency: Health Care Authority  
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Other:

**AND RECEIVED BY** (date) August 21, 2018

**Date:** June 12, 2018

**Name:** Wendy Barcus

**Title:** HCA Rules Coordinator

**Signature:**



REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 182-22-100	Authority.
WAC 182-22-110	Definitions.
WAC 182-22-210	Employer groups.
WAC 182-22-220	Home care agencies.
WAC 182-22-230	Financial sponsors.
WAC 182-22-310	Where to find instructions for filing an appeal.
WAC 182-22-320	How to appeal health care authority (HCA) decisions.
WAC 182-22-330	How to appeal a managed health care system (MHCS) decision nonsubsidized enrollees.
WAC 182-22-340	How to appeal a managed health care system (MHCS) decision—Subsidized enrollees and federal Health Coverage Tax Credit enrollees.
WAC 182-22-410	Producers.
WAC 182-22-420	Application processing.
WAC 182-22-430	Open enrollment.
WAC 182-22-450	MHCS duties.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 182-23-010 Definitions.
- WAC 182-23-020 Eligibility.
- WAC 182-23-040 Washington health benefits.
- WAC 182-23-050 Premiums and cost sharing.
- WAC 182-23-060 Enrollment in the plan.
- WAC 182-23-070 Disenrollment from WHP.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 182-24-010	Definitions.
WAC 182-24-020	Eligibility.
WAC 182-24-025	How is income calculated?
WAC 182-24-030	Failure to report correct income.
WAC 182-24-040	BHP benefits.
WAC 182-24-050	Premiums and copayments.
WAC 182-24-060	Enrollment in the plan.
WAC 182-24-070	Disenrollment from BHP.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 182-25-120            Basic health plan coverage for health  
                                 coverage tax credit eligible enrollees.