



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Health Care Authority, Washington Apple Health

Subject of possible rule making:

WAC 182-551-2010 Home health services—Definitions
WAC 182-551-2030 Home health services—Requirements
WAC 182-551-2125 Home health services—Delivered through telemedicine
WAC 182-551-2130 Home health services—Noncovered services
WAC 182-551-2210 Home health services—Provider requirements
Other related rules as appropriate.

Statutes authorizing the agency to adopt rules on this subject: RCW 41.05.021, 41.05.160, 42 CFR Part 440

Reasons why rules on this subject may be needed and what they might accomplish:

The agency is amending these rules to comply with new federal regulations under 42 CFR 440 requiring that physicians document the occurrence of a face-to-face encounter (including through the use of telemedicine) within reasonable timeframes when ordering home health services for Medicaid eligible clients. The agency is also aligning these rules with the new final federal rules to clarify that home health services are not restricted to clients who are homebound or to services furnished solely in the home. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

Centers for Medicare & Medicaid Services (CMS)

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rulemaking (CR-102) to everyone receiving this notice and anyone who requests a copy.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

Contact:
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DATE
May 18, 2016

NAME (TYPE OR PRINT)
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SIGNATURE

TITLE
HCA Rules Coordinator

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STATE OF WASHINGTON
FILED

DATE: May 18, 2016
TIME: 8:43 AM

WSR 16-11-094