



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 182-526-0100 (new), 182-526-0280, and WAC 182-526-0290

Statutes authorizing the agency to adopt rules on this subject:

42 CFR Part 431, Subpart E – Fair Hearings for Applicants and Beneficiaries, RCW 41.05.021, 41.05.160

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

To comply with new federal rules in 42 CFR Part 431, the agency is creating a new section WAC 182-526-0100 to allow for expedited administrative hearings for urgent health care needs. The agency is revising WAC 182-526-0290(4) and (6) to correct an error in the recently filed permanent rules for Chapter 182-526 WAC. In subsection (4), if an appellant fails to appear at the scheduled prehearing conference to address the petition to vacate, the order becomes a final order. The ALJ or review judge does not dismiss the matter with prejudice. In subsection (6), if the petition to vacate is not filed timely or the appellant fails to establish good cause to excuse any default or to reinstate the matter for hearing, the ALJ must issue an initial order, not a final order, dismissing the appeal. In WAC 182-526-0280, the agency is proposing to strike the introductory statement "This section applies to continuance requests made by applicants or recipients." 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:

Department of Social and Health Services

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

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

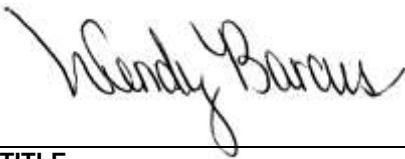
The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rulemaking (CR-102) to everyone receiving this notice and anyone who requests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

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

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DATE
April 5, 2017

NAME (TYPE OR PRINT)
Wendy Barcus

SIGNATURE


TITLE
HCA Rules Coordinator

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STATE OF WASHINGTON
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