



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Health Care Authority, Washington Apple Health

- Preproposal Statement of Inquiry was filed as WSR 15-08-053 ; or
- Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR \_\_\_\_\_
- Continuance of WSR \_\_\_\_\_

### Title of rule and other identifying information:

WAC 182-531-0250 Who can provider and bill for physician-related and health care professional services  
WAC 182-531-1900 Payment – General requirements for physician-related services

### Hearing location(s):

Health Care Authority  
Cherry Street Plaza Building; Sue Crystal Conf Rm 106A  
626 - 8<sup>th</sup> Avenue, Olympia WA 98504

Metered public parking is available street side around building. A map is available at:  
[http://www.hca.wa.gov/documents/directions\\_to\\_csp.pdf](http://www.hca.wa.gov/documents/directions_to_csp.pdf)  
or directions can be obtained by calling: 360-725-1000

Date: August 4, 2015 Time: 10:00 a.m.

**Date of intended adoption:** Not sooner than August 5, 2015  
(Note: This is **NOT** the **effective** date)

### Submit written comments to:

Name: HCA Rules Coordinator  
Address: PO Box 45504, Olympia WA, 98504-5504  
Delivery: 626 – 8<sup>th</sup> Avenue, Olympia WA 98504  
e-mail [arc@hca.wa.gov](mailto:arc@hca.wa.gov)  
fax (360) 586-9727

by 5:00 PM on August 4, 2015

**Assistance for persons with disabilities:** Contact  
Kelly Richters by July 30, 2015

TTY (800) 848-5429 or (360) 725-1307 or e-mail:  
[kelly.richters@hca.wa.gov](mailto:kelly.richters@hca.wa.gov)

### Purpose of the proposal and its anticipated effects, including any changes in existing rules:

To establish in rule the agency's policy for payment of services provided by, or in conjunction with, a resident physician.

**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?  Yes  No
  - Federal Court Decision?  Yes  No
  - State Court Decision?  Yes  No
- If yes, CITATION:

### CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: **June 26, 2015**

TIME: **2:40 PM**

WSR **15-14-071**

**DATE**  
June 26, 2015

**NAME**  
Wendy Barcus

### SIGNATURE

**TITLE**  
HCA Rules Coordinator

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

**Name of proponent:** 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.... Lisa Humphrey	PO Box 45504, Olympia WA 98504-5504	(360) 725-1617
Enforcement..... Lisa Humphrey	PO Box 45504, Olympia WA 98504-5504	(360) 725-1617

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No. Explain why no statement was prepared.

The agency has determined that the proposed filing does not impose a disproportionate cost impact on small businesses or nonprofits.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No: Please explain:

RCW 34.05.328 does not apply to Health Care Authority rules unless requested by the Joint Administrative Rules Review Committee or applied voluntarily.

AMENDATORY SECTION (Amending WSR 15-03-041, filed 1/12/15, effective 2/12/15)

**WAC 182-531-0250 Who can provide and bill for physician-related and health care professional services.** (1) The health care professionals and health care entities listed in WAC 182-502-0002 and enrolled with the medicaid agency can bill for physician-related and health care professional services that are within their scope of practice.

(2) The agency pays for services provided by, or in conjunction with, a resident physician when:

(a) The services are billed under the teaching hospital's national provider identifier (NPI) or the supervising physician's NPI;

(b) The performing provider is identified on the claim under the teaching or resident physician's NPI; and

(c) The services are provided and billed according to this chapter and chapters 182-501 and 182-502 WAC.

(3) The agency does not pay for services performed by any of the health care professionals listed in WAC 182-502-0003.

~~((3))~~ (4) The agency pays eligible providers for physician-related services and health care professional services if those services are mandated by, and provided to~~((7))~~ clients who are eligible for, one of the following:

(a) The early and periodic screening, diagnosis, and treatment (EPSDT) program;

(b) A Washington apple health program for qualified medicare beneficiaries (QMB); or

(c) A waiver program.

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

**WAC 182-531-1900 ~~((Reimbursement)) Payment—General requirements for physician-related services.~~** (1) ~~The ((department reimburses))~~ medicaid agency pays physicians and related providers for covered services provided to eligible clients on a fee-for-service basis, subject to the exceptions, restrictions, and other limitations listed in this chapter and other published issuances.

(2) ~~((In order to be reimbursed))~~ To receive payment, physicians must bill the ~~((department))~~ agency according to the conditions of payment under WAC ~~((388-501-0150 and other issuances))~~ 182-502-0100.

(3) ~~The ((department))~~ agency does not separately reimburse certain administrative costs or services. ~~The ((department))~~ agency considers these costs to be included in the ~~((reimbursement))~~ payment. These costs and services include the following:

(a) Delinquent payment fees;

(b) Educational supplies;

(c) Mileage;

(d) Missed or canceled appointments;

(e) Reports, client charts, insurance forms, and copying expenses;

(f) Service charges;

(g) Take home drugs; and

(h) Telephoning (e.g., for prescription refills).

(4) The ((department)) agency does not routinely pay for procedure codes which have a "#" or "NC" indicator in the fee schedule. The ((department)) agency reviews these codes for conformance to medicaid program policy only as an exception to policy or as a limitation extension. See WAC ((~~388-501-0160 and 388-501-0165~~)) 182-501-0160 and 182-501-0165.