

WSR 24-02-089

AGENDA

HEALTH CARE AUTHORITY

[Filed January 3, 2024, 9:00 a.m.]

The Washington health care authority (HCA) prepares a semi-annual rule-making agenda in January and July each year for publication in the Washington State Register pursuant to RCW 34.05.314. This report details current and anticipated rule-making activities for HCA. Additional rule-making activity may occur which is not listed on this agenda as conditions warrant.

Rule-making information is available on HCA's website <https://www.hca.wa.gov/about-hca/rulemaking>.

To be notified of any changes, you may sign up for email notifications [https://public.govdelivery.com/accounts/WAHCASUBSCRIBER/new?gsp=WAHCA\\_10](https://public.govdelivery.com/accounts/WAHCASUBSCRIBER/new?gsp=WAHCA_10).

If you have questions about this rule-making agenda, contact Wendy Barcus, Rules Coordinator, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1306, email [wendy.barcus@hca.wa.gov](mailto:wendy.barcus@hca.wa.gov).

**Semi-Annual Rule-Making Agenda  
January - June 2024**

WAC Chapter	Rule Subject	Current Activity		
		Preproposal Notice CR-101	Proposed Rule CR-102 (Public Hearing) or CR-105 (Expedited)	Emergency CR-103E
<b>HEALTH CARE AUTHORITY - GENERAL</b>				
New chapter 182-80	Primary care transformation model—Provider certification.	WSR 23-01-066 Filed 12/14/2022 <b>Withdrawn</b> WSR 23-06-071 Filed 3/1/2023		
<b>PUBLIC EMPLOYEE BENEFITS</b>				
Chapters 182-08, 182-12, 182-16	Public employees benefits board (PEBB)—Annual updates.	<i>HCA intends to begin rule making soon.</i>		
182-12-5000 (new)	Retirees who regained eligibility for PEBB retiree insurance coverage as authorized in SSB 5490, chapter 15, Laws of 2023.	<i>This will be included in the PEBB annual updates.</i>		WSR 23-20-002 Effective 9/20/2023
182-12-5100 (new)	What options for health plan enrollment are available to a retired employee of an employer group that previously ended participation in PEBB insurance coverage, as authorized in SSB 1804, section 3, chapter 312, Laws of 2023.	<i>This will be included in the PEBB annual updates.</i>		WSR 23-20-068 Effective 9/29/2023
182-12-5110, 182-12-5120 (new)	When is a retiring school employee of an employer group eligible to enroll in PEBB retiree insurance coverage; What options for continuing health plan enrollment are available to a retiree of an employer group that ends participation in PEBB or SEBB insurance coverage, as authorized in SHB 1804, section 1, chapter 312, Laws of 2023.	<i>This will be included in the PEBB annual updates.</i>		WSR 23-20-030 Effective 9/25/2023
182-12-5200 (new)	When is a retiring employee or a retiring school employee who separates from employment eligible to enroll in PEBB retiree insurance coverage, as authorized in HB 1008, chapter 164, Laws of 2023.	<i>This will be included in the PEBB annual updates.</i>		WSR 24-02-061 Filed 12/29/2023
<b>SCHOOL EMPLOYEE BENEFITS</b>				
Chapters 182-30, 182-31, 182-32	School employees benefits board (SEBB)—Annual updates.	<i>HCA intends to begin rule making soon.</i>		

WAC Chapter	Rule Subject	Current Activity		
		Preproposal Notice CR-101	Proposed Rule CR-102 (Public Hearing) or CR-105 (Expedited)	Emergency CR-103E
182-30-5000, 182-30-5010 (new)	SEBB employer groups, as authorized in SSB 5275, chapter 13, Laws of 2023.	<i>This will be included in the SEBB annual updates.</i>		WSR 23-22-079 Effective 10/27/2023
<b>WASHINGTON APPLE HEALTH (MEDICAID)</b>				
182-502-0002, 182-531-1400	Adding licensed associates as allowable provider types.	WSR 24-02-050 Filed 12/28/2023		
182-502-0005, 182-502-0006, 182-502-0010, 182-502-0012, 182-502-0030, 182-502-0040	Core provider agreement; Enrollment for nonbilling individual providers; When the medicaid agency enrolls; When the medicaid agency does not enroll; Termination of a provider agreement—For cause; Termination of a provider agreement—For convenience.	<i>HCA intends to begin rule making soon.</i>		
182-508-0001, 182-512-0920	Washington apple health—Coverage options for adults not eligible under modified adjusted gross income (MAGI) methodologies; SSI-related medical—Deeming/allocation of income from nonapplying spouse.	WSR 23-23-044 Filed 11/6/2023		
182-509-0220, 182-519-0050	Washington apple health—How resources are considered; Monthly income and countable resource standards for medically needy.	WSR 23-17-124 Filed 8/21/2023	<b>CR-102</b> WSR 23-24-003 Public hearing scheduled for 1/9/2024	
182-509-0300, 182-509-0305, 182-512-0880	SSI-related medical—Special income disregards; MAGI; MAGI income—Persons subject to the MAGI methodology.	WSR 23-05-107 Filed 2/15/2023	<b>CR-102</b> WSR 23-08-062 Public hearing scheduled for 5/9/2023. CR-102 withdrawn under WSR 23-10-020 before hearing held. <i>Rule making on hold for necessary legislative funding to implement a new 1915(i) benefit.</i>	
182-513-1105	Personal needs allowance and room and board standards in a medical institution and alternate living facility.		<b>CR-105</b> WSR 24-02-049 Comments due by 3/5/2024	
182-517-0100	Federal medicare savings program.	WSR 23-17-081 Filed 8/15/2023	<b>CR-102</b> WSR 24-02-013 Public hearing scheduled for 2/6/2024	
182-526-0210	Appeals requested by intermediate care facilities for individuals with intellectual disabilities.		<b>CR-105</b> WSR 24-01-061 Comments due by 2/20/2024	
182-530-7050	Reimbursement—Dispensing fee.	WSR 23-22-075 Filed 10/26/2023	<b>CR-102</b> WSR 24-01-140 Public hearing scheduled for 1/23/2024	WSR 23-22-074 Effective 10/26/2023
182-530-1050, 182-530-7000, 182-530-7100, 182-530-7250, 182-530-7300, 182-530-7900, 182-530-8000, 182-531-0050, 182-531-1625, 182-532-001, 182-532-140, 182-532-550	Prescription drugs (outpatient)—Drugs purchased under the Public Health Services (PHS) Act (340B).	WSR 23-07-015 Filed 3/3/2023		
182-531-0200, 182-531-0200	Coverage for adult cochlear implants.	WSR 23-17-088 Filed 8/15/2023	<b>CR-102</b> WSR 23-24-002 Public hearing scheduled for 1/9/2024	WSR 24-02-047 Effective 1/1/2024

WAC Chapter	Rule Subject	Current Activity		
		Preproposal Notice CR-101	Proposed Rule CR-102 (Public Hearing) or CR-105 (Expedited)	Emergency CR-103E
182-532-001, 182-532-510	Reproductive health services— Definitions; Family planning only program—Eligibility.	WSR 23-16-017 Filed 7/20/2023		
182-532-530, 182-532-550, 182-532-560	Family planning only programs —Covered services, payment limitations, and documentation requirements.	WSR 23-24-065 Filed 12/4/2023		WSR 24-02-058 Effective 1/1/2024
Chapter 182-532; 182-502-0002	Maternity related services— Birth doula services; Eligible provider types—Adding birth doula.	<i>HCA intends to begin rule making soon.</i>		
182-538-070	Payments, corrective action, and sanctions for managed care organization.	WSR 24-02-086 Filed 1/3/2024		
182-538B-180	Civil transition program— Overview.	<i>HCA intends to begin rule making soon.</i>		WSR 23-24-052 Effective 12/1/2023
182-548-1300, 182-549-1300	Rural health clinics; Federally qualified health centers—Adding substance use disorder professionals.	<i>HCA intends to begin rule making soon.</i>		
182-550-2600	Inpatient psychiatric services.	WSR 23-17-101 Filed 8/16/2023		
182-550-4000, 182-550-4500	Payment method—Out-of-state hospitals; Payment method— Ratio of costs-to-charges.	WSR 24-01-131 Filed 12/19/2023		
182-550-5700	Hospital reports and audits.	WSR 23-24-084 Filed 12/5/2023		
Chapter 182-553; 182-551-2000, 182-551-2010, 182-551-2100, 182-551-2130	Home infusion therapy/ parenteral nutrition program and home health services.	<i>HCA intends to begin rule making soon.</i>		
182-556-0200, 182-501-0070	Chiropractic services for adults.	<i>HCA intends to begin rule making soon.</i>		
182-556-0250, 182-501-0060 (new), 182-502-0003	Acupuncture services.	<i>HCA intends to begin rule making soon.</i>		
182-557-0200	Health home eligibility.	WSR 23-23-182 Filed 11/22/2023		
New chapter 182-561	Community behavioral health support services.	WSR 22-09-074 Filed 4/19/2022	<b>CR-102</b> WSR 23-08-048 Public hearing scheduled for 5/9/2023. CR-102 withdrawn under WSR 23-10-020 before hearing held. <i>Rule making on hold for necessary legislative funding to implement a new 1915(i) benefit.</i>	
New rules	Medical respite.	<i>HCA intends to begin rule making soon.</i>		
<b>WASHINGTON APPLE HEALTH (EXPANSION)</b>				
New chapter	Rules related to ESSB 5187, Section 211(83).	WSR 23-14-063 Filed 6/28/2023		

**KEY:**

**CR:** "Code reviser" on the rule-making forms produced by the office of the code reviser.

**CR-101:** Preproposal statement of inquiry filed under RCW 34.05.310.

**CR-102:** Proposed rule-making notice filed under RCW 34.05.320 or 34.05.340.

**CR-103:** Rule-making order permanently adopting a rule, and filed under RCW 34.05.360 and 34.05.380.

**CR-105:** Expedited rule-making proposal filed under RCW 34.05.353.

**RCW:** Revised Code of Washington.

**WAC:** Washington Administrative Code.

**WSR:** Washington State Register official filing reference number given by the office of the code reviser when a notice is filed.

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Rules Coordinator