

**WSR 24-06-021**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**HEALTH CARE AUTHORITY**

[Filed February 28, 2024, 6:34 a.m.]

Subject of Possible Rule Making: WAC 182-538B-180 Civil transition program—Overview; other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule establishes eligibility criteria for the civil transition program, which is a state-funded, fee-for-service program that requires the department of social and health services (DSHS) to provide wraparound services and supports in community-based settings, which may include residential supports, to persons who have been found not competent to stand trial due to an intellectual or developmental disability, dementia, or traumatic brain injury. This apple health program is for persons who are not eligible for any other apple health program and will provide state-funded categorically needy coverage. This program implements a portion of RCW 10.77.202, which became effective December 1, 2023. The health care authority (agency) established WAC 182-538B-180 through an emergency rule filed under WSR 23-24-052. The purpose of this rule making is to make that rule permanent. DSHS is engaged in rule making on this subject. DSHS filed a preproposal statement of inquiry under WSR 23-24-046 and established emergency rules under WSR 24-05-046. During this review, the agency may identify additional related changes that are required to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: DSHS.

Process for Developing New Rule: 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 rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brian Jensen, Rule-Making Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-0815, fax 360-586-9727, telecommunication[s] relay service (TRS) 711, email [brian.jensen@hca.wa.gov](mailto:brian.jensen@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking); or Paige Lewis, Program Questions, P.O. Box 42722, Olympia, WA 98504-2722, phone 360-725-0757, fax 360-586-9727, TRS 711, email [paige.lewis@hca.wa.gov](mailto:paige.lewis@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking).

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Rules Coordinator