

Chapter 182-25 WAC

WASHINGTON BASIC HEALTH PLAN

<p>WAC</p> <p>182-25-120</p>	<p>Basic health plan coverage for health coverage tax credit eligible enrollees.</p>		
DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER			
<p>182-25-001</p>	<p>Authority. [Statutory Authority: RCW 70.47.050. WSR 96-15-024, § 182-25-001, filed 7/9/96, effective 8/9/96.] Repealed by WSR 10-24-062 (Order 10-03), filed 11/30/10, effective 12/31/10. Statutory Authority: Chapter 70.47 RCW.</p>	<p>182-25-031</p>	<p>Transition coverage. [Statutory Authority: RCW 70.47.050, 70.47.060 and 70.47.100. WSR 99-24-005 (Order 99-06), § 182-25-031, filed 11/18/99, effective 12/19/99.] Repealed by WSR 03-24-041 (Order 03-04), filed 11/26/03, effective 12/27/03. Statutory Authority: RCW 70.47.050.</p>
<p>182-25-010</p>	<p>Definitions. [Statutory Authority: RCW 70.47.050. WSR 07-20-079 (Order 07-04), § 182-25-010, filed 10/1/07, effective 11/1/07; WSR 06-11-158 (Order 05-06), § 182-25-010, filed 5/24/06, effective 7/1/06. Statutory Authority: RCW 70.47.050 and 2005 c 188. WSR 05-17-078 (Order 05-03), § 182-25-010, filed 8/12/05, effective 9/12/05. Statutory Authority: RCW 70.47.050 and 2004 c 192. WSR 04-23-012 (Order 04-03), § 182-25-010, filed 11/5/04, effective 1/1/05. Statutory Authority: RCW 70.47.050, 70.47.020(4) and 70.47.060 (5) and (9). WSR 03-18-039 (Order 02-01), § 182-25-010, filed 8/27/03, effective 10/1/03. Statutory Authority: RCW 70.47.050, 70.47.020 (4) and (5), 70.47.060 (9) and (10), 74.08A.100 and 2002 c 371. WSR 02-24-051 (Order 02-06), § 182-25-010, filed 12/3/02, effective 1/1/03. Statutory Authority: RCW 70.47.050. WSR 01-09-001 (Order 00-08), § 182-25-010, filed 4/4/01, effective 5/5/01. Statutory Authority: RCW 70.47.050 and 70.47.020 as revised by E2SSB 6067. WSR 01-01-134 (Order 00-04), § 182-25-010, filed 12/20/00, effective 1/20/01. Statutory Authority: RCW 70.47.050, 70.47.060 and 70.47.100. WSR 99-24-005 (Order 99-06), § 182-25-010, filed 11/18/99, effective 12/19/99. Statutory Authority: RCW 70.47.050, 70.47.060(9) and SHB 2556. WSR 98-15-018, § 182-25-010, filed 7/6/98, effective 8/6/98. Statutory Authority: RCW 70.47.050. WSR 98-07-002, § 182-25-010, filed 3/5/98, effective 4/5/98; WSR 97-15-003, § 182-25-010, filed 7/3/97, effective 8/3/97; WSR 96-15-024, § 182-25-010, filed 7/9/96, effective 8/9/96.] Repealed by WSR 10-24-062 (Order 10-03), filed 11/30/10, effective 12/31/10. Statutory Authority: Chapter 70.47 RCW.</p>	<p>182-25-040</p>	<p>Enrollment in the plan. [Statutory Authority: RCW 70.47.050. WSR 07-23-109 (Order 07-07), § 182-25-040, filed 11/21/07, effective 11/21/07; WSR 06-11-158 (Order 05-06), § 182-25-040, filed 5/24/06, effective 7/1/06. Statutory Authority: RCW 70.47.050 and 2005 c 188. WSR 05-17-078 (Order 05-03), § 182-25-040, filed 8/12/05, effective 9/12/05. Statutory Authority: RCW 70.47.050 and 2004 c 192. WSR 04-23-012 (Order 04-03), § 182-25-040, filed 11/5/04, effective 1/1/05. Statutory Authority: RCW 70.47.050. WSR 04-15-109 (Order 04-05), § 182-25-040, filed 7/20/04, effective 8/20/04. Statutory Authority: RCW 70.47.050, 70.47.060(9), and 2002 c 371 § 212(5). WSR 02-19-054 (Order 01-07), § 182-25-040, filed 9/12/02, effective 10/13/02. Statutory Authority: RCW 70.47.050, 70.47.060 and 70.47.100. WSR 99-24-005 (Order 99-06), § 182-25-040, filed 11/18/99, effective 12/19/99. Statutory Authority: RCW 70.47.050 and 70.47.060. WSR 99-16-022 (Order 99-02), § 182-25-040, filed 7/26/99, effective 8/26/99. Statutory Authority: RCW 70.47.050. WSR 98-07-002, § 182-25-040, filed 3/5/98, effective 4/5/98; WSR 97-15-003, § 182-25-040, filed 7/3/97, effective 8/3/97; WSR 96-15-024, § 182-25-040, filed 7/9/96, effective 8/9/96.] Repealed by WSR 10-24-062 (Order 10-03), filed 11/30/10, effective 12/31/10. Statutory Authority: Chapter 70.47 RCW.</p>
<p>182-25-020</p>	<p>BHP benefits. [Statutory Authority: RCW 70.47.050 and 70.47.090. WSR 02-19-053 (Order 01-08), § 182-25-020, filed 9/12/02, effective 10/13/02. Statutory Authority: RCW 70.47.050 and 70.47.060. WSR 00-23-037, § 182-25-020, filed 11/9/00, effective 1/1/01. Statutory Authority: RCW 70.47.050. WSR 98-07-002, § 182-25-020, filed 3/5/98, effective 4/5/98; WSR 97-15-003, § 182-25-020, filed 7/3/97, effective 8/3/97; WSR 96-15-024, § 182-25-020, filed 7/9/96, effective 8/9/96.] Repealed by WSR 10-24-062 (Order 10-03), filed 11/30/10, effective 12/31/10. Statutory Authority: Chapter 70.47 RCW.</p>	<p>182-25-050</p>	<p>Employer groups. [Statutory Authority: RCW 70.47.-050. WSR 96-15-024, § 182-25-050, filed 7/9/96, effective 8/9/96.] Repealed by WSR 10-24-062 (Order 10-03), filed 11/30/10, effective 12/31/10. Statutory Authority: Chapter 70.47 RCW.</p>
<p>182-25-030</p>	<p>Eligibility. [Statutory Authority: RCW 70.47.050. WSR 07-23-109 (Order 07-07), § 182-25-030, filed 11/21/07, effective 11/21/07. Statutory Authority: RCW 70.47.-050 and 2006 c 343. WSR 06-18-055 (Order 06-05), § 182-25-030, filed 8/31/06, effective 10/1/06. Statutory Authority: RCW 70.47.050 and 2004 c 192. WSR 04-23-012 (Order 04-03), § 182-25-030, filed 11/5/04, effective 1/1/05. Statutory Authority: RCW 70.47.050 and 70.47.020 as revised by E2SSB 6067. WSR 01-01-134 (Order 00-04), § 182-25-030, filed 12/20/00, effective 1/20/01. Statutory Authority: RCW 70.47.050, 70.47.060 and 70.47.100. WSR 99-24-005 (Order 99-06), § 182-25-030, filed 11/18/99, effective 12/19/99. Statutory Authority: RCW 70.47.050 and 70.47.060. WSR 99-16-022 (Order 99-02), § 182-25-030, filed 7/26/99, effective 8/26/99. Statutory Authority: RCW 70.47.050. WSR 98-07-002, § 182-25-030, filed 3/5/98,</p>	<p>182-25-060</p>	<p>Home care agencies. [Statutory Authority: RCW 70.47.-050. WSR 96-15-024, § 182-25-060, filed 7/9/96, effective 8/9/96.] Repealed by WSR 10-24-062 (Order 10-03), filed 11/30/10, effective 12/31/10. Statutory Authority: Chapter 70.47 RCW.</p>
		<p>182-25-070</p>	<p>Financial sponsors. [Statutory Authority: RCW 70.47.-050. WSR 98-07-002, § 182-25-070, filed 3/5/98, effective 4/5/98; WSR 96-15-024, § 182-25-070, filed 7/9/96, effective 8/9/96.] Repealed by WSR 10-24-062 (Order 10-03), filed 11/30/10, effective 12/31/10. Statutory Authority: Chapter 70.47 RCW.</p>
		<p>182-25-080</p>	<p>Premiums and copayments. [Statutory Authority: RCW 70.47.050. WSR 07-20-079 (Order 07-04), § 182-25-080, filed 10/1/07, effective 11/1/07. Statutory Authority: RCW 70.47.050 and 2004 c 192. WSR 04-23-012 (Order 04-03), § 182-25-080, filed 11/5/04, effective 1/1/05. Statutory Authority: RCW 70.47.050 and 70.47.090. WSR 02-19-053 (Order 01-08), § 182-25-080, filed 9/12/02, effective 10/13/02. Statutory Authority: RCW 70.47.050. WSR 98-07-002, § 182-25-080, filed 3/5/98, effective 4/5/98; WSR 96-15-024, § 182-25-080, filed 7/9/96, effective 8/9/96.] Repealed by WSR 10-24-062 (Order 10-03), filed 11/30/10, effective 12/31/10. Statutory Authority: Chapter 70.47 RCW.</p>
		<p>182-25-085</p>	<p>Enrollees' failure to report correct income. [Statutory Authority: RCW 70.47.050, 70.47.060(9), and 2002 c 371 § 212(5). WSR 02-19-054 (Order 01-07), § 182-25-085, filed 9/12/02, effective 10/13/02. Statutory Authority: RCW 70.47.050, 70.47.060 and 70.47.090. WSR 99-12-033 (Order 99-01), § 182-25-085, filed 5/26/99, effective 6/26/99.] Repealed by WSR 10-24-062 (Order</p>

- 182-25-090 10-03), filed 11/30/10, effective 12/31/10. Statutory Authority: Chapter 70.47 RCW.
- Disenrollment from BHP. [Statutory Authority: RCW 70.47.050. WSR 09-21-008 (Order 09-01), § 182-25-090, filed 10/8/09, effective 11/8/09. Statutory Authority: RCW 70.47.050 and 2004 c 192. WSR 04-23-012 (Order 04-03), § 182-25-090, filed 11/5/04, effective 1/1/05. Statutory Authority: RCW 70.47.050. WSR 03-24-040 (Order 03-05), § 182-25-090, filed 11/26/03, effective 12/27/03. Statutory Authority: RCW 70.47.-050, 70.47.060(9), and 2002 c 371 § 212(5). WSR 02-19-054 (Order 01-07), § 182-25-090, filed 9/12/02, effective 10/13/02. Statutory Authority: RCW 70.47.-050, 70.47.060 and 70.47.100. WSR 99-24-005 (Order 99-06), § 182-25-090, filed 11/18/99, effective 12/19/99. Statutory Authority: RCW 70.47.050, 70.47.060 and 70.47.090. WSR 99-12-033 (Order 99-01), § 182-25-090, filed 5/26/99, effective 6/26/99. Statutory Authority: RCW 70.47.050. WSR 98-07-002, § 182-25-090, filed 3/5/98, effective 4/5/98; WSR 97-15-003, § 182-25-090, filed 7/3/97, effective 8/3/97; WSR 96-15-024, § 182-25-090, filed 7/9/96, effective 8/9/96.] Repealed by WSR 10-24-062 (Order 10-03), filed 11/30/10, effective 12/31/10. Statutory Authority: Chapter 70.47 RCW.
- 182-25-100 Where to find instructions for filing an appeal. [Statutory Authority: RCW 70.47.050. WSR 99-07-078, § 182-25-100, filed 3/18/99, effective 4/18/99; WSR 98-07-002, § 182-25-100, filed 3/5/98, effective 4/5/98; WSR 96-15-024, § 182-25-100, filed 7/9/96, effective 8/9/96.] Repealed by WSR 10-24-062 (Order 10-03), filed 11/30/10, effective 12/31/10. Statutory Authority: Chapter 70.47 RCW.
- 182-25-105 How to appeal health care authority (HCA) decisions. [Statutory Authority: RCW 70.47.050. WSR 01-23-095 (Order 00-01), § 182-25-105, filed 11/21/01, effective 1/1/02; WSR 99-07-078, § 182-25-105, filed 3/18/99, effective 4/18/99; WSR 98-07-002, § 182-25-105, filed 3/5/98, effective 4/5/98; WSR 96-15-024, § 182-25-105, filed 7/9/96, effective 8/9/96.] Repealed by WSR 10-24-062 (Order 10-03), filed 11/30/10, effective 12/31/10. Statutory Authority: Chapter 70.47 RCW.
- 182-25-110 How to appeal a managed health care system (MHCS) decision. [Statutory Authority: RCW 70.47.050. WSR 01-23-095 (Order 00-01), § 182-25-110, filed 11/21/01, effective 1/1/02; WSR 99-07-078, § 182-25-110, filed 3/18/99, effective 4/18/99; WSR 96-15-024, § 182-25-110, filed 7/9/96, effective 8/9/96.] Repealed by WSR 10-24-062 (Order 10-03), filed 11/30/10, effective 12/31/10. Statutory Authority: Chapter 70.47 RCW.

HCTC program of the Internal Revenue Service (IRS) by the date required by the IRS.

(5) With the exception of subsections (3) and (7) of this section, BHP enrollees who are HCTC eligible will be subject to the rules for BHP enrollees.

(6) Notice of disenrollment will be sent to the HCTC enrollees for whom the premium has not been paid. This notice will be sent before the month of coverage, but will not be subject to the notification requirements in WAC 182-24-070(7). If payment is received no later than the first day of the month of coverage, the enrollee's coverage for that month will be reinstated.

(7) The nine-month waiting period for treatment of pre-existing conditions will be waived for HCTC enrollees who have had three months or more of creditable coverage, as defined under Public Law 104-191, without a break in coverage of more than sixty-two consecutive days at the time of application. Subsidized enrollees who are HCTC eligible, who provide proof of that eligibility to their MHCS, will be treated as HCTC enrollees for purposes of determining whether the preexisting condition waiting period can be waived.

(8) HCTC enrollees who disenroll may return to HCTC enrollment without being subject to the provisions of WAC 182-24-070(8).

(9) Because eligibility for the HCTC program is determined by the federal HCTC program at the Internal Revenue Service, BHP will not review appeals of eligibility for the HCTC program. Instructions on appealing an HCTC eligibility determination are available through the HCTC customer contact center.

[Statutory Authority: Chapter 70.47 RCW. WSR 10-24-062 (Order 10-03), § 182-25-120, filed 11/30/10, effective 12/31/10. Statutory Authority: RCW 70.47.050 and 2004 c 192. WSR 04-23-012 (Order 04-03), § 182-25-120, filed 11/5/04, effective 1/1/05.]

WAC 182-25-120 Basic health plan coverage for health coverage tax credit eligible enrollees. (1) "Health coverage tax credit eligible enrollee" or "HCTC enrollee" means an individual or qualified dependent determined by the federal Department of the Treasury to be eligible for a tax credit, as defined under RCW 70.47.020 (3) and (4). In the event that the federal health coverage tax credit program is no longer available, HCTC enrollment in BHP will end.

(2) Eligibility for HCTC enrollment, as subscriber or dependent, is determined by the federal Health Coverage Tax Credit program. HCTC enrollees must provide proof of eligibility for HCTC enrollment, but are not required to also meet the eligibility criteria in WAC 182-23-020 or 182-24-020.

(3) Unless the enrollee has applied for, is eligible, and has enrolled as a BHP enrollee, the monthly premium due from or on behalf of an HCTC enrollee will be the full cost charged by the MHCS for coverage, plus the administrative cost of providing BHP coverage and the premium tax under RCW 48.14.0201.

(4) HCTC enrollees may pay the full premium for coverage to BHP or, if they are claiming the HCTC advance tax credit, may pay their portion of the premium to the federal