

WSR 22-11-005

PROPOSED RULES

HEALTH CARE AUTHORITY

[Filed May 5, 2022, 10:08 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 22-07-085.

Title of Rule and Other Identifying Information: WAC 182-537-0600 School district requirements for billing and payment.

Hearing Location(s): On June 21, 2022, at 10:00 a.m. In response to the coronavirus disease 2019 (COVID-19) public health emergency, the health care authority (HCA) continues to hold public hearings virtually without a physical meeting place. This promotes social distancing and the safety of the residents of Washington state. To attend the virtual public hearing, you must register in advance https://us02web.zoom.us/webinar/register/WN_0MvAkVJuR-eiDkr-anVLwQ. If the link above opens with an error message, please try using a different browser. After registering, you will receive a confirmation email containing information about joining the public hearing.

Date of Intended Adoption: Not sooner than June 22, 2022.

Submit Written Comments to: HCA Rules Coordinator, P.O. Box 42716, Olympia, WA 98504-2716, email arc@hca.wa.gov, fax 360-586-9727, by June 21, 2022.

Assistance for Persons with Disabilities: Contact HCA rules coordinator, phone 360-725-1306, fax 360-586-9727, telecommunication[s] relay service 711, email arc@hca.wa.gov, by June 10, 2022.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The agency is amending WAC 182-537-0600 to remove subsection (6), which requires participating school districts to provide local funding. The legislature changed the funding formula for school-based health services by removing the financial contribution requirement for school districts.

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.

Rule is not necessitated by federal law, federal or state court decision.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Not applicable.

Name of Proponent: HCA, governmental.

Name of Agency Personnel Responsible for Drafting: Brian Jensen, P.O. Box 42716, Olympia, WA 98504-2716, 360-725-0815; Implementation and Enforcement: Shanna Muirhead, P.O. Box 45505, Olympia, WA 98504-5505, 360-725-1153.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 does not apply to HCA rules unless requested by the joint administrative rules review committee or applied voluntarily.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules relate only to internal governmental operations that are not subject to violation by a nongovernment party.

Explanation of exemptions: This rule applies to government entities, specifically Washington state school districts, and thus is not subject to violation by a nongovernment party.

May 5, 2022
Wendy Barcus
Rules Coordinator

OTS-3691.1

AMENDATORY SECTION (Amending WSR 20-14-062, filed 6/26/20, effective 7/27/20)

WAC 182-537-0600 School district requirements for billing and payment. To receive payment from the medicaid agency for providing school-based health care services (SBHS) to eligible children, a school district must:

- (1) Enroll as a billing provider in ProviderOne and have a current, signed core provider agreement (CPA) with the agency.
- (2) Have a current, signed, and executed SBHS contract with the agency.
- (3) Meet the applicable requirements in chapter 182-502 WAC.
- (4) Comply with the applicable requirements in the agency's current, published ProviderOne billing and resource guide.
- (5) Bill according to the agency's current SBHS billing guide and the SBHS fee schedule.
- ~~(6) ((Comply with the intergovernmental transfer (IGT) process. The school district must provide its local match to the agency within one hundred twenty days of the invoice date.~~
 - ~~(a) If local match is not received within one hundred twenty days of the invoice date, the agency will deny claims.~~
 - ~~(b) School districts may resubmit denied claims within twenty-four months from the date of service under WAC 182-502-0150.~~
- ~~(7))~~ Provide only early intervention or health care-related services identified through a current individualized education program (IEP) or individualized family service plan (IFSP).
- ~~((8))~~ (7) Use only licensed health care providers or nonlicensed people practicing under the supervision of a licensed provider under WAC 182-537-0350.
- ~~((9))~~ (8) Enroll licensed health care providers as servicing providers under the school district's ProviderOne account, and ensure providers have their own national provider identifier (NPI) number.
- ~~((10))~~ (9) Meet documentation requirements described in WAC 182-537-0700.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 20-14-062, § 182-537-0600, filed 6/26/20, effective 7/27/20; WSR 19-04-095, § 182-537-0600, filed 2/5/19, effective 3/8/19; WSR 16-07-141, § 182-537-0600, filed 3/23/16, effective 4/23/16. Statutory Authority: RCW 41.05.021, 34 C.F.R. 300.154(d), and chapter 182-502 WAC. WSR 13-21-079, § 182-537-0600, filed 10/17/13, effective 11/17/13. Statutory Authority: RCW 41.05.021. WSR 13-05-017, § 182-537-0600, filed 2/7/13, effective 3/10/13. WSR 11-14-075, recodified as §

182-537-0600, filed 6/30/11, effective 7/1/11. Statutory Authority:
RCW 74.08.090, 74.09.500, and 42 C.F.R. 440.110. WSR 09-07-004, §
388-537-0600, filed 3/4/09, effective 4/4/09.]