

WSR 23-04-052

PERMANENT RULES

HEALTH CARE AUTHORITY

[Filed January 27, 2023, 9:11 a.m., effective February 27, 2023]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The agency revised this section to consolidate all telemedicine in one section for all programs. Additionally, "speech language pathology services by telemedicine when not available in person" was removed. This was added in a rule making during the public health emergency in error. The consolidated telemedicine rule applies to all programs and resides in new WAC 182-501-0300, filed on January 26, 2023, under WSR 23-04-048.

Citation of Rules Affected by this Order: Amending WAC 182-531A-1200.

Statutory Authority for Adoption: RCW 41.05.021, 41.05.160.

Other Authority: ESHB 1196, 67th legislature, 2021 regular session.

Adopted under notice filed as WSR 22-23-147 on November 22, 2022.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: January 27, 2023.

Wendy Barcus
Rules Coordinator

OTS-3975.2

AMENDATORY SECTION (Amending WSR 22-08-035, filed 3/29/22, effective 4/29/22)

WAC 182-531A-1200 Applied behavior analysis (ABA)—Services provided via telemedicine. (~~Telemedicine, as defined in chapter 182-531 WAC, may be used to provide the following authorized services:~~

- ~~(1) Program supervision when the client is present;~~
- ~~(2) Family/caregiver training, which does not require the client's presence; and~~
- ~~(3) Speech language pathology services when otherwise not available in person.)~~ Applied behavior analysis (ABA) services delivered using telemedicine may be reimbursed by the agency when billed in accordance with the rules regarding telemedicine and store-and-forward technology in WAC 182-501-0300 and the agency's published billing instructions.

[Statutory Authority: RCW 41.05.021, 41.05.160, and Thurston County Superior Court in J.C. and H.S. v. Washington State Health Care Authority, no. 20-2-01813-34. WSR 22-08-035, § 182-531A-1200, filed 3/29/22, effective 4/29/22. Statutory Authority: RCW 41.05.021, 41.05.160. WSR 15-19-121, § 182-531A-1200, filed 9/21/15, effective 10/22/15; WSR 14-24-083, § 182-531A-1200, filed 12/1/14, effective 1/1/15.]