

WSR 23-21-069

PERMANENT RULES

HEALTH CARE AUTHORITY

[Filed October 12, 2023, 4:15 p.m., effective November 12, 2023]

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

Purpose: The health care authority amended this rule to include criteria to allow agency-approved online classes with a one-on-one check-in with the client and qualified childbirth education provider during or after the online classes have been completed by the client.

Citation of Rules Affected by this Order: Amending WAC 182-533-0390.

Statutory Authority for Adoption: RCW 41.05.021, 41.05.160.

Adopted under notice filed as WSR 23-18-078 on September 5, 2023.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.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: October 12, 2023.

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OTS-4863.1

AMENDATORY SECTION (Amending WSR 19-06-026, filed 2/28/19, effective 4/1/19)

WAC 182-533-0390 Childbirth education (CBE) classes. (1) Purpose. The purpose of childbirth education (CBE) classes is to help prepare the client and the client's support person(s):

- (a) For the physiological, emotional, and psychological changes experienced during and after pregnancy;
- (b) To develop self-advocacy skills;
- (c) To increase knowledge about and access to local community resources;
- (d) To improve parenting skills; and
- (e) To improve the likelihood of positive birth outcomes.

(2) Definitions. The definitions in chapter 182-500 WAC, medical assistance definitions, and WAC 182-533-0315, maternity support services definitions, also apply to this section.

(3) Client eligibility. To be eligible for CBE classes, a client must be:

- (a) Pregnant; and

(b) Covered under one of the medical assistance programs described in WAC 182-533-0320 (1) (a) (i) and (iv).

(4) Provider requirements. To be paid for providing CBE classes to eligible clients, an approved instructor must:

(a) Have a core provider agreement on file with the (~~health care authority~~(the)) agency(~~(+)~~);

(b) Ensure that individuals providing CBE classes or following up during or after the completion of online classes have credentials and/or certification as outlined in the agency's current published billing instructions;

(c) Deliver CBE classes:

(i) In a series of group sessions; ((and)) or

(ii) Through online classes approved by the agency; and

(d) Provide curriculum containing topics outlined in the agency's CBE curriculum checklist found in the agency's current published billing instructions. Topics include, but are not limited to:

(i) Pregnancy;

(ii) Labor and birth;

(iii) Newborns; and

(iv) Family adjustment.

(5) Documentation. Providers must:

(a) Follow the health care record requirements found in WAC 182-502-0020; and

(b) Maintain the following additional documentation:

(i) An original or electronically signed copy of each client's Freedom of (~~Choice/Consent~~) Choice form and Consent for Services form;

(ii) A client sign-in sheet or log-in verification for each class; and

(iii) Names and ProviderOne Client ID numbers of eligible clients attending CBE classes and the date(s) they participated in each CBE class.

(6) Coverage.

(a) The agency covers one CBE class series per client, per pregnancy. In order for the provider to be reimbursed:

(i) The client must attend at least one CBE session ((for the provider to be paid)) or agency-approved online CBE class; and

(ii) The provider must follow up with clients participating in online classes through a telemedicine, including audio-only, visit or an in-person visit. If the client does not appear for the follow up visit, the provider must attempt to connect with the client one more time before billing the agency.

(b) CBE classes must include a minimum of six hours of instruction and are subject to the restrictions and limitations in this section and other applicable WAC.

(7) Payment. The agency pays for the CBE classes described in subsection (6) of this section on a fee-for-service basis subject to the following:

(a) CBE must:

(i) Include all classes, core materials, publications, and educational materials provided throughout the class series. Clients must receive the same materials as are offered to other attendees; and

(ii) Be billed according to the agency's current published billing instructions.

(b) The provider must accept the agency's fee as payment in full for classes provided to a client in accordance with 42 C.F.R. § 447.15.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 19-06-026, § 182-533-0390, filed 2/28/19, effective 4/1/19. Statutory Authority: RCW 41.05.021 and 2011 c 5. WSR 12-01-097, § 182-533-0390, filed 12/20/11, effective 1/20/12. WSR 11-14-075, recodified as § 182-533-0390, filed 6/30/11, effective 7/1/11. Statutory Authority: RCW 74.08.090, 74.09.760 through 74.09.910. WSR 04-13-049, § 388-533-0390, filed 6/10/04, effective 7/11/04.]