

WSR 21-06-089
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed March 2, 2021, 9:06 a.m.]

Subject of Possible Rule Making: Outpatient hospitals (medical aid rules), WAC 296-23A-0700 What is the "ambulatory payment classification" (APC) payment system?, and 296-23A-0740 How does the department calculate payments for covered outpatient services through the outpatient prospective payment system (OPPS)?

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020 and 51.04.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The two rules the department of labor and industries (L&I) is considering amending are in conflict with each other because the underlying federal regulations by the Centers for Medicare and Medicaid Services changed on January 1, 2017, creating the conflict between the two listed rules. Amending and aligning the conflicting rules would eliminate any confusion regarding L&I's outpatient hospital payment policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: L&I notifies external stakeholders through the GovDelivery system for reimbursement issues related to our rules. Any changes will be communicated to stakeholders and published via the GovDelivery system and opened up to public comment per the rule change process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dee Hahn, L&I, Health Services Analysis, P.O. Box 44322, Olympia, WA 98504-4322, phone 360-902-6828, fax 360-902-4249, email Dee.Hahn@Lni.wa.gov.

March 2, 2021
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Director