

WSR 22-20-059  
PREPROPOSAL STATEMENT OF INQUIRY  
HEALTH CARE AUTHORITY

[Filed September 29, 2022, 12:17 p.m.]

Subject of Possible Rule Making: WAC 182-538D-0262 Behavioral health administrative service organizations and managed care organizations—Behavioral health ombuds office; other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is repealing WAC 182-538D-0262, which requires behavioral health administrative agencies to maintain a behavioral health ombuds office for medicaid managed care enrollees. This service will be replaced by a new statewide ombuds program established under chapter 71.40 RCW, which takes effect October 1, 2022. During the course of this review, the health care authority (HCA) may identify additional related changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: HCA and department of commerce staff held meetings to discuss the timing of and general content for new behavioral health ombuds rules.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Melinda Froud, Rule-making Questions, P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1408, fax 360-586-9727, telecommunication[s] relay service (TRS) 711, email [melinda.froud@hca.wa.gov](mailto:melinda.froud@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking); or Annette Schuffenhauer, Program Questions, P.O. Box 45502, Olympia, WA 98504-5502, phone 360-725-1254, fax 360-586-9727, TRS 711, email [Annette.schuffenhauer@hca.wa.gov](mailto:Annette.schuffenhauer@hca.wa.gov), website [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking).

September 29, 2022  
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Rules Coordinator