

WSR 24-14-072
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed June 28, 2024, 9:22 a.m.]

Subject of Possible Rule Making: WAC 388-96-738 What default case mix group and weight must the department use for case mix grouping when there is no minimum data set resident assessment for a nursing facility resident?, and other related sections as are necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.46.571 and 74.46.800(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Centers for Medicare and Medicaid [Services] has discontinued the resource utilization group (RUG) data set and replaced it with the patient-driven payment model (PDPM). Washington is transitioning from RUGs to PDPM for the purpose of adjusting the nursing facility medicaid rate by acuity. WAC 388-96-738 addresses how to weigh certain situations with incomplete data and references specific RUG groups. These references need to be updated to reflect the usage of PDPM.

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

Process for Developing New Rule: The department of social and health services (DSHS) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to 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 Elizabeth Pashley, P.O. Box 45600, Olympia, WA 98504, phone 360-995-2807, fax 360-725-2641, TTY 360-493-2637, email Elizabeth.Pashley@dshs.wa.gov, website <https://www.dshs.wa.gov/altsa/management-services-division/office-rates-management>.

June 28, 2024
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