

WSR 22-17-116

PROPOSED RULES

HEALTH CARE AUTHORITY

[Filed August 22, 2022, 9:45 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 22-14-018.

Title of Rule and Other Identifying Information: WAC 182-526-0030
Contacting the board of appeals and 182-526-0580 Deadline for request-
ing review of an initial order by a review judge.

Hearing Location(s): On September 27, 2022, at 10:00 a.m. In re-
sponse to the coronavirus disease 2019 (COVID-19) public health emer-
gency, the health care authority (HCA) continues to hold public hear-
ings virtually without a physical meeting place. This promotes social
distancing and the safety of the residents of Washington state. To at-
tend the virtual public hearing, you must register in advance [https://
us02web.zoom.us/webinar/register/WN_9Uo_ve5ETY2is3tDmG1Udw](https://us02web.zoom.us/webinar/register/WN_9Uo_ve5ETY2is3tDmG1Udw). If the
link above opens with an error message, please try using a different
browser. After registering, you will receive a confirmation email con-
taining information about joining the public hearing.

Date of Intended Adoption: Not sooner than September 28, 2022.

Submit Written Comments to: HCA Rules Coordinator, P.O. Box
42716, Olympia, WA 98504-2716, email arc@hca.wa.gov, fax 360-586-9727,
by September 27, 2022, by 11:59 p.m.

Assistance for Persons with Disabilities: Contact Johanna Larson,
phone 360-725-1349, fax 360-586-9727, telecommunication[s] relay serv-
ice 711, email Johanna.Larson@hca.wa.gov, by September 16, 2022.

Purpose of the Proposal and Its Anticipated Effects, Including
Any Changes in Existing Rules: The agency is amending WAC 182-526-0030
to update the board of appeals' website address. The agency is amend-
ing WAC 182-526-0580 to specify the acceptable filing methods for a
written review request of an initial order.

Reasons Supporting Proposal: See purpose.

Statutory Authority for Adoption: RCW 41.05.021, 41.05.160.

Statute Being Implemented: RCW 41.05.021, 41.05.160.

Rule is not necessitated by federal law, federal or state court
decision.

Name of Proponent: HCA, governmental.

Name of Agency Personnel Responsible for Drafting: Brian Jensen,
P.O. Box 42716, Olympia, WA 98504-2716, 360-725-0815; Implementation
and Enforcement: Kerry Breen, P.O. Box 42700, Olympia, WA 98504-2700,
1-844-728-5212.

A school district fiscal impact statement is not required under
RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. RCW
34.05.328 does not apply to HCA rules unless requested by the joint
administrative rules review committee or applied voluntarily.

This rule proposal, or portions of the proposal, is exempt from
requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules adopt, amend, or
repeal a procedure, practice, or requirement relating to
agency hearings; or a filing or related process requirement
for applying to an agency for a license or permit.

Scope of exemption for rule proposal:

Is fully exempt.

August 22, 2022

Wendy Barcus

OTS-3970.1

AMENDATORY SECTION (Amending WSR 21-18-063, filed 8/26/21, effective 9/26/21)

WAC 182-526-0030 Contacting the board of appeals. The information included in this section is current at the time of rule adoption, but may change. Current information and additional contact information are available on the health care authority's internet site, in person at the board of appeals (BOA) office, or by a telephone call to the BOA's main public number.

Board of Appeals	
Location	626 8th Avenue S.E. Olympia, Washington
Mailing address	P.O. Box 42700 Olympia, WA 98504-2700
Toll free telephone	1-844-728-5212
Fax	360-507-9018
Electronic service	HCABoardofAppeals@hca.wa.gov
Internet website	((www.hca.wa.gov/appeals)) https://www.hca.wa.gov/about-hca/board-appeals

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 21-18-063, § 182-526-0030, filed 8/26/21, effective 9/26/21; WSR 15-04-102, § 182-526-0030, filed 2/3/15, effective 3/6/15. Statutory Authority: 2011 1st sp.s. c 15 § 53, chapters 74.09, 34.05 RCW, and 10-08 WAC. WSR 13-02-007, § 182-526-0030, filed 12/19/12, effective 2/1/13.]

AMENDATORY SECTION (Amending WSR 17-05-066, filed 2/13/17, effective 3/16/17)

WAC 182-526-0580 Deadline for requesting review of an initial order by a review judge. (1) The board of appeals (BOA) must receive the written review request of an initial order on or before 5:00 p.m. on the (~~((twenty-first))~~) 21st calendar day after the initial order was served, unless an extension of the deadline is granted by the review judge.

(2) A party may file the written review request by physical mail, by facsimile transmission (fax) (~~((A copy of the review request should also be mailed to BOA))~~), electronically by email, or in-person delivery. For the BOA contact information, see WAC 182-526-0030.

((2)) (3) A review judge may extend the deadline to request review if a party:

- (a) Asks for more time before the deadline expires; and
- (b) Gives a good reason for more time.

~~((3))~~ (4) A review judge may accept a review request after the ~~((twenty-one))~~ 21 calendar day deadline only if:

(a) BOA receives the review request on or before the ~~((thirtieth))~~ 30th calendar day after the deadline; and

(b) A party shows good cause for missing the deadline.

~~((4))~~ (5) The time periods provided by this section for requesting review of an initial order, including any extensions, does not count against a deadline, if any, for a review judge to enter the final order.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 17-05-066, § 182-526-0580, filed 2/13/17, effective 3/16/17. Statutory Authority: 2011 1st sp.s. c 15 § 53, chapters 74.09, 34.05 RCW, and 10-08 WAC. WSR 13-02-007, § 182-526-0580, filed 12/19/12, effective 2/1/13.]