

**WSR 22-20-069**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**

[Filed September 30, 2022, 8:57 a.m.]

Subject of Possible Rule Making: Chapter 246-453 WAC, Hospital Charity Care. The department of health (department) is considering amendments to implement new requirements in SSB 6273 (chapter 623, Laws of 2018) and SHB 1616 (chapter 197, Laws of 2022). Updates may be needed to ensure that the rules are current and align with best practices. The department will also consider adding a new section to address requirements for clarity and conciseness.

Statutes Authorizing the Agency to Adopt Rules on this Subject: SSB 6273 (chapter 623, Laws of 2018) and SHB 1616 (chapter 197, Laws of 2022).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering amending chapter 246-453 WAC, Hospital charity care, to align with changes made in SSB 6273 and SHB 1616. Both bills add several definitions to RCW 70.170.020 that modify or replace definitions currently in chapter 246-453 WAC. Additionally, both bills amend RCW 70.170.060; SSB 6273 creates new opportunities for patients to apply for charity care that are not currently addressed in chapter 246-453 WAC and SHB 1616 increases income thresholds for charity care eligibility and requires hospitals to provide prescriptive discounts in lieu of discounts based on a sliding scale. To comply with changes made by SSB 6273 and SHB 1616, the rules may need revisions. The department will also consider adding a new section to address requirements for clarity and conciseness.

Additionally, the department had previously worked with interested parties on a rules project responsive to SSB 6273 under CR-101 filed as WSR 18-18-073 and CR-102 filed as WSR 22-02-016, but is withdrawing that project to refile a new CR-101 that allows the implementation of additional statutory changes made by SHB 1616 in 2022.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Carrie Baranowski, P.O. Box 47853, Olympia, WA 98504-7853, phone 360-236-4210, fax 360-236-2830, TTY 711, email [charitycare@doh.wa.gov](mailto:charitycare@doh.wa.gov).

Additional comments: Interested parties will be notified and kept updated throughout the rule-making process through GovDelivery and already established email lists. Interested parties will be invited to participate in rules workshops, provide comments at the proposal stage, and attend the public hearing. Join the GovDelivery list to get information on participating in the process by subscribing at <https://public.govdelivery.com/accounts/WADOH/subscriber/new>.

September 30, 2022  
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