

WSR 25-12-036

PERMANENT RULES

HEALTH CARE AUTHORITY

[Filed May 28, 2025, 9:15 a.m., effective June 28, 2025]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The health care authority is amending this rule to update the list of programs for which a person cannot be concurrently eligible with the medicaid alternative care program.

Citation of Rules Affected by this Order: Amending WAC 182-513-1605.

Statutory Authority for Adoption: RCW 41.05.021 and 41.05.160.

Adopted under notice filed as WSR 25-09-049 on April 10, 2025.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: May 28, 2025.

Wendy Barcus
Rules Coordinator

RDS-6254.1

AMENDATORY SECTION (Amending WSR 23-11-007, filed 5/4/23, effective 6/4/23)

WAC 182-513-1605 Medicaid alternative care (MAC)—Eligibility.

(1) The person receiving care must meet the financial eligibility criteria for medicaid alternative care (MAC).

(2) To be eligible for MAC services, the person receiving care must:

- (a) Be age 55 or older;
- (b) Be assessed as meeting nursing facility level of care under WAC 388-106-0355, and choose to receive services under the MAC program instead of other long-term services and supports;
- (c) Meet residency requirements under WAC 182-503-0520;
- (d) Live at home and not in a residential or institutional setting;
- (e) Have an eligible unpaid caregiver under WAC 388-106-1905;
- (f) Meet citizenship and immigration status requirements under WAC 182-503-0535 (2)(a) or (b); and
- (g) Be eligible for either:

(i) A noninstitutional medicaid program, which provides categorically needy (CN) or alternative benefit plan (ABP) scope of care under WAC 182-501-0060; or

(ii) An SSI-related CN program by using spousal impoverishment protections institutionalized (SIPI) spouse rules under WAC 182-513-1660.

(3) An applicant whose eligibility is limited to one or more of the following programs is not eligible for MAC:

(a) The medically needy program under WAC 182-519-0100;

(b) The medicare savings programs under chapter 182-517 WAC (~~(182-517-0300)~~);

(c) The (~~family planning~~) Washington apple health pregnancy and after-pregnancy coverage program under WAC 182-505-0115;

(d) The family planning only programs under chapter 182-532 WAC;

(e) The medical care services (MCS) program under WAC 182-508-0005;

(f) The alien emergency medical (AEM) program under WAC 182-507-0110 through 182-507-0120;

(g) The state funded long-term care for noncitizens program under WAC 182-507-0125;

(h) The kidney disease program under chapter 182-540 WAC; or

(i) The tailored supports for older adults (TSOA) program under WAC 182-513-1610.

(4) The following rules do not apply to services provided under the MAC benefit:

(a) Transfer of asset penalties under WAC 182-513-1363;

(b) Excess home equity under WAC 182-513-1350; and

(c) Estate recovery under chapter 182-527 WAC.