



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Health Care Authority, Washington Apple Health

Subject of possible rule making:

New sections under Chapter 182-513 WAC for Medicaid Alternative Care (MAC) and Tailored Supports for Adults (TSOA); WAC 182-527-2730 Definitions; WAC 182-527-2734 Liens during a client's lifetime; WAC 182-527-2742 Estate recovery – Service-related limitations; Other related rules as appropriate.

Statutes authorizing the agency to adopt rules on this subject: RCW 41.05.021, 41.05.160; Second Engrossed Substitute House Bill (2ESHB) 2376, Chapter 36, Laws of 2016, 65th Legislature, 2016 1st Special Session, Sec. 213, (1)(e); Section 1115 of the Social Security Act; 42 CFR Sec. 431.400 through -428

Reasons why rules on this subject may be needed and what they might accomplish:

The agency is adopting these rules to implement newly funded programs, Medicaid Alternative Care (MAC) and Tailored Supports for Older Adults (TSOA), that provide benefits for person-centered long-term services and supports (LTSS) to unpaid family members caring for Medicaid-eligible clients. The agency is amending Chapter 182-527 WAC to exclude the MAC and TSOA programs from estate recovery. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

Centers for Medicare & Medicaid Services (CMS) and the Department of Social and Health Services (DSHS)

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

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 rulemaking (CR-102) to everyone receiving this notice and anyone who requests a copy.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

Contact:
Katie Pounds
PO Box 42716, Olympia, WA 98504-2716
Fax: (360) 586-9727 TTY: 1-800-848-5429
E-mail: katherine.pounds@hca.wa.gov

DATE
October 4, 2016

NAME (TYPE OR PRINT)
Wendy Barcus

SIGNATURE

TITLE
HCA Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 04, 2016

TIME: 12:15 PM

WSR 16-20-085