



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Health Care Authority, Washington Apple Health

- | | |
|--|---|
| <input type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR _____ ; or | <input checked="" type="checkbox"/> Original Notice |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR; or | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input checked="" type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1). | <input type="checkbox"/> Continuance of WSR _____ |

Title of rule and other identifying information:

WAC 182-556-0100, Chemical dependency treatment services.
 WAC 182-556-0200, Chiropractic services for children.
 WAC 182-556-0300, Personal care services.
 WAC 182-556-0400, Limitations on services available to recipients of categorically needs medical assistance.
 WAC 182-556-0600, Mental health services.

Hearing location(s):

Health Care Authority
 Cherry Street Plaza Building; Pear Conf Rm; CSP 107
 626 - 8th Avenue, Olympia WA 98504

Metered public parking is available street side around building. A map is available at:
http://www.hca.wa.gov/documents/directions_to_csp.pdf
 or directions can be obtained by calling: 360-725-1000

Date: April 21, 2015 Time: 10:00 a.m.

Submit written comments to:

Name: HCA Rules Coordinator
 Address: PO Box 45504, Olympia WA, 98504-5504
 Delivery: 626 – 8th Avenue, Olympia WA 98504
 e-mail arc@hca.wa.gov
 fax (360) 586-9727

by (date) April 21, 2015

Assistance for persons with disabilities: Contact

Kelly Richters by April 13, 2015

TTY (800) 848-5429 or (360) 725-1307 or e-mail:
kelly.richters@hca.wa.gov

Date of intended adoption: Not sooner than April 22, 2015 (Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

These are housekeeping changes to correct agency names, program names, rule numbers, and to make other clarifications that do not change the effect of the rules.

Reasons supporting proposal: These changes will provide the reader with correct information and improve clarity.

Statutory authority for adoption: RCW 41.05.021, 41.05.160

Statute being implemented:

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

DATE

March 17, 2015

NAME (type or print)

Jason R. P. Crabbe

SIGNATURE

TITLE

HCA Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: March 17, 2015

TIME: 1:15 PM

WSR 15-07-082

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: N/A

Name of proponent: Health Care Authority

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Melinda Froud	P.O. Box 42716, Olympia, WA 98504-2716	(360) 725-1408
Implementation.... Melinda Froud	P.O. Box 42716, Olympia, WA 98504-2716	(360) 725-1408
Enforcement.....Melinda Froud	P.O. Box 42716, Olympia, WA 98504-2716	(360) 725-1408

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____
fax () _____
e-mail _____

No. Explain why no statement was prepared.

The proposed filing is exempt from the SBEIS requirement under Chapter 19.85 RCW.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____
fax () _____
e-mail _____

No: Please explain:

RCW 34.05.328 does not apply to Health Care Authority rules unless requested by the Joint Administrative Rules Review Committee or applied voluntarily.

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

WAC 182-556-0100 Chemical dependency treatment services. The ~~((department))~~ medicaid agency covers chemical dependency treatment services ~~((, as defined in))~~ under chapter ~~((388-805))~~ 388-877B WAC ~~((,))~~ for ~~((medicaid and children's))~~ Washington apple health clients. ~~((Coverage))~~ The agency's payment is limited to services performed by providers ~~((defined in))~~ under WAC ~~((388-502-0002))~~ 182-502-0002.

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

WAC 182-556-0200 Chiropractic services for children. (1) The ~~((department will))~~ medicaid agency pays only for chiropractic services:

- (a) For clients who are:
 - (i) Under age twenty-one ~~((years of age))~~; and
 - (ii) Referred by a screening provider under the healthy kids/early and periodic screening, diagnosis, and treatment (EPSDT) program.
 - (b) That are:
 - (i) Medically necessary under WAC 182-500-0070, safe, effective, and not experimental;
 - (ii) Provided by a chiropractor licensed in the state where services are provided; and
 - (iii) Within the scope of the chiropractor's license.
 - (c) Limited to:
 - (i) Chiropractic manipulative treatments of the spine; and
 - (ii) X rays of the spine.
- (2) Chiropractic services are paid according to fees established by the ~~((department))~~ agency using methodology set ~~((forth))~~ out in WAC ~~((388-531-1850))~~ 182-531-1850.

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

WAC 182-556-0300 Personal care services. The ~~((department))~~ medicaid agency pays for personal care services for a Title XIX categorically needy ~~((medicaid client as provided))~~ Washington apple health client under chapter 388-71 WAC, Home and community services and programs.

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

WAC 182-556-0400 Limitations on services available to ~~((recipients of))~~ categorically needy ~~((medical assistance))~~ Washington apple health clients. (1) Organ transplants are limited to the cornea, heart, heart-lung, kidney, kidney-pancreas, liver, pancreas, single lung, and bone marrow.

(2) The ~~((department shall provide))~~ medicaid agency pays for treatment, dialysis, equipment, and supplies for acute and chronic nonfunctioning kidneys ~~((when the client is in the))~~ for a client in a home, hospital, or kidney center as described under WAC ((388-540-005)) 182-540-005.

(3) The agency pays for detoxification and medical stabilization ~~((are provided))~~ to ~~((chemically using))~~ chemical-using pregnant women in a hospital.

(4) The ~~((department shall provide))~~ agency pays for detoxification of acute alcohol or other drug intoxication only in a certified detoxification center or in a general hospital ~~((having))~~ that has a detoxification provider agreement with the ~~((department))~~ agency.

(5) The ~~((department shall provide))~~ agency pays for outpatient chemical dependency treatment in programs qualified under chapter 275-25 WAC and certified under chapter 275-19 WAC or its successor.

(6) The ~~((department))~~ agency may require a second opinion ~~((and/or)), or~~ consultation, or both before ~~((the approval of))~~ approving any elective surgical procedure.

(7) The ~~((department))~~ agency designates diagnoses that may require surgical intervention:

(a) Performed in other than a hospital in-patient setting; and

(b) Requiring prior agency approval ~~((by the department))~~ for a hospital admission.

AMENDATORY SECTION (Amending WSR 11-14-075, filed 6/30/11, effective 7/1/11)

WAC 182-556-0600 Mental health services. Mental health-related services are available to an eligible client~~((s))~~ under chapter 388-865 WAC and WAC ~~((388-531-1400))~~ 182-531-1400.