



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 checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR <u>15-04-092</u> ; 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 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:

182-505-0120, Washington apple health breast and cervical cancer treatment program (BCCTP) for women—Client eligibility

Hearing location(s):
Health Care Authority
Cherry Street Plaza Building; Sue Crystal Conf Rm 106A
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: July 7, 2015 Time: 10:00 A.M.

Date of intended adoption: Not sooner than July 8, 2015
(Note: This is **NOT** the effective date)

Submit written comments to:
Name: HCA Rules Coordinator
Address: PO Box 42716, Olympia WA, 98504-2716
Delivery: 626 – 8th Avenue, Olympia WA 98504
E-mail: arc@hca.wa.gov
Fax: (360) 586-9727

by 5:00 P.M. on July 7, 2015

Assistance for persons with disabilities:
Contact Kelly Richters by: July 1, 2015

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

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

The rule amendment clarifies eligibility for the breast and cervical treatment program.

Reasons supporting proposal: The proposed rule complies with federal guidance.

Statutory authority for adoption: RCW 41.05.021, 41.05.160

Statute being implemented: RCW 41.05.021, 41.05.160

- 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
May 29, 2015

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: May 29, 2015

TIME: 1:24 PM

WSR 15-12-076

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	PO BOX 42716, Olympia, WA 98504-2716	(360) 725-1408
Implementation.... Mick Pettersen	PO BOX 45534, Olympia, WA 98504-5534	(360) 725-0913
Enforcement..... Mick Pettersen	PO BOX 45534, Olympia, WA 98504-5534	(360) 725-0913

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 does not create a disproportionate impact on small businesses.

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.

WAC 182-505-0120 Washington apple health breast and cervical cancer treatment program (~~((BCCTP))~~) for women—Client eligibility.

(1) Effective April 1, 2014, a woman is eligible for categorically needy (CN) coverage under the Washington apple health (WAH) breast and cervical cancer treatment program (BCCTP) only when she:

(a) Has been screened for breast or cervical cancer under the department of health's breast, cervical, and colon health program (BCCHP);

(b) (~~((Is found to))~~) Requires treatment for (~~((either))~~) breast (~~((or))~~) cancer, cervical cancer, or (~~((for))~~) a related precancerous condition;

(c) Is under sixty-five years of age;

(d) Is not (~~((covered by another))~~) eligible for other WAH-CN (~~((program))~~) coverage or alternative benefits plan coverage;

(e) Is uninsured or does not otherwise have creditable coverage;

(f) Meets residency requirements (~~((as described in))~~) under WAC 182-503-0520;

(g) Meets Social Security number requirements (~~((as described in))~~) under WAC 182-503-0515;

(h) (~~((Meets the requirements for citizenship or U.S. national status))~~) Is a U.S. citizen, U.S. national, qualifying American Indian born abroad, or ((^))qualified alien((^-status as described in)) under WAC 182-503-0535; and

(i) Meets the income standard set by the BCCHP (~~((the standard may be found at))~~), available at: <http://www.doh.wa.gov/Portals/1/Documents/Pubs/342-090-BCCHPFundingSources.pdf>(~~((^))~~).

(2) The certification period for breast and cervical cancer treatment covered under this section is twelve months, as provided in WAC 182-504-0015. (~~((Renewal of eligibility must be completed prior to the end of each certification period))~~) To remain continuously enrolled, the client must renew her eligibility before the certification period ends. Eligibility for BCCTP coverage under subsection (1)(b) of this section continues throughout the course of treatment as certified by the BCCHP. Retroactive coverage (~~((is))~~) may be available (~~((as provided in))~~) under WAC 182-504-0005.