



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: February 28, 2024

TIME: 6:34 AM

WSR 24-06-021

Agency: Health Care Authority

Subject of possible rule making: WAC 182-538B-180, Civil Transition Program – Overview; other related rules as appropriate.

Statutes authorizing the agency to adopt rules on this subject: RCW 41.05.021, RCW 41.05.160

Reasons why rules on this subject may be needed and what they might accomplish: This rule establishes eligibility criteria for the Civil Transition Program, which is a state-funded, fee-for-service program that requires the Department of Social and Health Services (DSHS) to provide wraparound services and supports in community-based settings, which may include residential supports, to persons who have been found not competent to stand trial due to an intellectual or developmental disability, dementia, or traumatic brain injury. This Apple Health program is for persons who are not eligible for any other Apple Health program and will provide state-funded categorically needy coverage. This program implements a portion of RCW 10.77.202, which became effective December 1, 2023. The agency established WAC 182-538B-180 through an emergency rule filed under WSR 23-24-052. The purpose of this rulemaking is to make that rule permanent. DSHS is engaged in rulemaking on this subject. DSHS filed a preproposal statement of inquiry under WSR 23-24-046 and established emergency rules under WSR 24-05-046. During this review, HCA may identify additional related changes that are required 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: Washington State Department of Social and Health Services

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.


Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Brian Jensen (Rulemaking Questions)
 Address: PO Box 42716, Olympia, WA 98504-2716
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 TTY: Telecommunication Relay Services (TRS): 711
 Email: brian.jensen@hca.wa.gov
 Web site: www.hca.wa.gov/about-hca/rulemaking
 Other:

(If necessary)

Name: Paige Lewis (Program Questions)
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 Other:

Additional comments:

Date: February 28, 2024	Signature: 
Name: Wendy Barcus	
Title: HCA Rules Coordinator	