



APPLE HEALTH (MEDICAID) MANUAL REVISION

Revision #	008
Chapter / Section	Long-term Services and Supports (LTSS)
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Summary of Revision

Emergency WAC filed 7/1/2015 to implement Community First Choice (CFC services. CFC is implemented effective 7/1/2015 as a new Long-term service and support. In addition, this is the final phase of the Medicaid WAC re-write to implement HB 1738 and Affordable Care Act changes to the Medicaid program. This filing corrects WAC references, updates definitions, and adds new sections to describe Hospice as a program, Roads to Community Living (RCL), and Program of all-inclusive for the elderly (PACE), and Medicaid Personal Care (MPC).

Summary of changes:

WAC	Title	Description
182-513-1100	Definitions related to long-term services and supports (LTSS	New section. WAC # changed from WAC 182-513-1301 to WAC 182-513-1100. Some definitions moved from 182-513-1301 to Chapter 182-500 WAC because terms not specific to LTC. Chapter 182-500 in currently filed for these changes. Terms not mentioned in WAC are deleted.
182-513-1200	Long-term services and supports authorized under Washington Apple Health programs	New section. Road map index for the non-institutional/State Plan service group that are not HCB Waivers/Institutional group.

182-513-1205	Determining eligibility for SSI-related non-institutional coverage in an alternate living facility	New section. WAC number changed from WAC 182-513-1305. For RSN and MPC cases, ACES medical coverage group (MGC) will remain a G03. Effective 10/2015 MCG For CFC cases, ACES will be L52.
182-513-1210	Community First Choice (CFC) – Overview	New section Road-map WAC for CFC
182-513-1215	Community First Choice (CFC) –Eligibility	New section Eligibility for CFC
182-513-1220	Community First Choice (CFC) –Spousal impoverishment protections for non-institution Washington Apple Health (WAH) clients	New section Spousal impoverishment for CFC
182-513-1225	Medicaid Personal Care (MPC)	New section Individuals not NFLOC and eligible for non-institutional CN or ABP
182-513-1230	Program of all-inclusive care for the elderly (PACE)	New section Pulled language out of 182-515 and pointed to HCB Waiver rules for eligibility. State plan service not subject to transfer of assets.
182-513-1235	Roads to Community Living (RCL)	New section Pulled RCL out of 182-515 and created WAC for RCL. RCL points to HCB Waiver rules for eligibility. RCL receives 365 days of Medicaid eligibility regardless of change of circumstance unless they leave the state, die or it is subsequently determined that the client was not eligible for Medicaid on the day of discharge.
182-513-1240	Hospice	New Section Pulled language out of 182-515 and created WAC for Hospice as a program. This WAC points to HCB Waiver rules for eligibility if client is not eligible for a non- institutional Medicaid program in the community. Points to 182-513-1380 for post eligibility when residing in medical institution.
182-513-1300	Payment standard for persons in medical institutions	REPEAL Rule will be moved to Title 388-478-0006.
182-513-1315	General eligibility requirements for institutionalized Washington Apple Health (WAH) programs (Index)	Long-term services and supports “roadmap” WAC 182-513-1315 has been broken up into sections through WAC 182-513-1319 to describe general eligibility. This section is the general eligibility to all long-term

		care services and supports including Chapter 182-515 WAC. WAC 182-513-1315 is the general eligibility index.
182-513-1316	General eligibility requirements for WAH long-term care programs	New Section. See notes in WAC 182-513-1315
182-513-1317	Income and resource criteria for an institutionalized client	New section. See notes in WAC 182-513-1315
182-513-1318	Income and resource criteria for home and community based (HCB) waiver programs and hospice clients	New section. See notes in WAC 182-513-1315
182-513-1319	State-funded long-term services and supports (LTSS) for noncitizen clients	New section. See notes in WAC 182-513-1315
182-513-1320	Determining institutional status for long-term services and supports (LTSS)	Amending Adding RCL, PACE and Hospice (as a program) clients are considered “institutionalized”. Housekeeping changes with correct WAC references.
182-513-1325	Determining available income for an SSI-related institutionalized single client	Housekeeping changes with correct WAC references.
182-513-1330	Determining available income for legally married couples when one is institutionalized	Housekeeping changes with correct WAC references.
182-513-1340	Determining excluded income for long-term care services	Housekeeping changes with correct WAC references.
182-513-1345	Determining disregarded income for institutional or hospice services under the medically needy (MN) program	Housekeeping changes with correct WAC references.
182-513-1350	Defining the resource standard and determining resource eligibility for institutionalized individuals.	Amending Broke up WAC. Pulled CSRA out and created new WAC 182-513-1355
182-513-1355	Evaluating the resource standard and resource eligibility for married institutionalized individuals.	New section. Describes the CSRA. Moved from 182-513-1350
182-513-1363	Evaluating the transfer of an asset for clients found eligible	Housekeeping changes with correct WAC references.

	for long-term care services and supports on or after 5/1/2006	
182-513-1364	Evaluating the transfer of an asset made on or after April 1, 2003 for long-term services and supports (LTSS)	Repeal - Over the 5 year look back
182-513-1365	Evaluating the transfer of an asset made on or after March 1, 1997, and before April 1, 2003, for long-term services and supports (LTSS)	Repeal - Over the 5 year look back
182-513-1366	Evaluating the transfer of an asset made before March 1, 1997, for long-term services and supports (LTSS)	Repeal - Over the 5 year look back
182-513-1367	Hardship waivers for long-term services and supports (LTSS)	Housekeeping changes with correct WAC references.
182-513-1380	Determining a person's financial participation in the cost of care for long-term care (LTC) services.	Amending: Pulled out the calculation for spousal and dependent allocation and created new 182-513-1385. Housekeeping changes with correct WAC references.
182-513-1385	Determining the spousal and dependent allocation allowed in post-eligibility treatment of income for Washington Apple Health long-term care (LTC) programs	New Section. Describes the calculation to determine the spouse and dependent allocation and moved that language out of 182-513-1380.
182-513-1395	Determining eligibility for institutional services for people living in medical institutions under the SSI-related medically needy program.	Amending. Removed the information regarding children/family institutional and hospice since WACs have been created specific to those programs. Institutional children and family is found in Chapter 182-514 and is now called MAGI-based institutional. Housekeeping changes with correct WAC references.
182-513-1396	Clients living in a fraternal, religious, or benevolent nursing facility	Housekeeping changes with correct WAC references.
182-513-1397	Treatment of entrance fees of individuals residing in continuing care retirement communities	Housekeeping changes with correct WAC references.

182-513-1400	Long-term care (LTC) partnership program (index)	Housekeeping changes with correct WAC references.
182-513-1405	Definitions-Long Term Partnership Program	Housekeeping changes with correct WAC references.
182-513-1410	What qualifies as a LTC partnership policy?	Housekeeping changes with correct WAC references.
182-513-1415	What assets can't be protected under the LTC partnership provisions?	Housekeeping changes with correct WAC references.
182-513-1420	Who is eligible for asset protection under a partnership policy?	Housekeeping changes with correct WAC references.
182-513-1425	When would I not qualify for LTC Medicaid if I have a LTC partnership policy in pay status?	Housekeeping changes with correct WAC references.
182-513-1430	What change of circumstances must I report when I have a LTC partnership policy paying a portion of my care?	Housekeeping changes with correct WAC references.
182-513-1435	Will Washington recognize a LTC partnership policy purchased in another state?	Housekeeping changes with correct WAC references.
182-513-1440	How many of my assets can be protected?	Housekeeping changes with correct WAC references.
182-513-1445	How do I designate a protected asset and what proof is required?	Housekeeping changes with correct WAC references.
182-513-1450	How does transfer of assets affect LTC partnership and Medicaid eligibility?	Housekeeping changes with correct WAC references.
182-513-1455	If I have protected assets under a LTC partnership policy, what happens after my death?	Housekeeping changes with correct WAC references.

Chapter 388-106 WAC rule filing by Aging & Long-term support Administration (AL TSA) to implement Community First Choice can be found on the DSHS rules and publication website: <https://www.dshs.wa.gov/sesa/rules-and-policies-assistance-unit/aging-long-term-support-administration>

Chapter 182-513 rule filing by Health Care Authority (HCA) can be found on the HCA rulemaking website under client eligibility: <http://www.hca.wa.gov/rulemaking/Lists/RulemakingActivity/ExtAppleHealthAllByCatg.aspx>

OTS-5855.5Draft (3) Chapter 182-513