



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: June 09, 2023

TIME: 2:02 PM

WSR 23-13-024

Agency: Health Care Authority

Subject of possible rule making:

182-535A-0040 Orthodontic treatment and orthodontic-related services – Covered, noncovered, and limitations to coverage; 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: The agency is amending this rule to make language less restrictive in subsection (5)(c) from covering a “case study when done in conjunction with limited or comprehensive orthodontic treatment only” to a “case study when done in conjunction with orthodontic treatment.” During the course of this review, HCA may identify additional related 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: The Centers for Medicare and Medicaid Services (CMS)

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:

(If necessary)

Name: Valerie Freudenstein (Rulemaking Questions)

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Other:

Name: Janice Tadeo (Program Questions)

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Other:

Additional comments:

Date: June 9, 2023

Name: Wendy Barcus

Title: HCA Rules Coordinator

Signature: