



# 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 28, 2024

TIME: 9:55 AM

WSR 24-14-076

**Agency:** Health Care Authority

**Subject of possible rule making:** 182-52-0050 Prescription drug affordability board – Data and confidentiality; other related rules as appropriate.

**Statutes authorizing the agency to adopt rules on this subject:** [ESHB 1508, Chapter 80, Laws of 2024, Sec. 2, \(2\)\(a\)](#), [SHB 1105, Chapter 171, Laws of 2024, Sec. 1, \(1\)](#), RCW 41.05.021, RCW 41.05.160, Chapter 70.405 RCW

**Reasons why rules on this subject may be needed and what they might accomplish:** The agency is amending this rule to add language about data sharing between the prescription drug affordability board and the health care cost transparency board to align with [Engrossed Substitute House Bill 1508, Chapter 80, Laws of 2024, Sec. 2, \(2\)\(a\)](#). Additionally, the agency may add a new section regarding a time frame of 30 days for public comment prior to the board setting an upper payment limit to align with [Substitute House Bill 1105, Chapter 171, Laws of 2024, Sec. 1, \(1\)](#). 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:**

Name: Valerie Freudenstein (Rulemaking Questions)  
 Address: PO Box 42716, Olympia, WA 98504-2716  
 Phone: 360-725-1344  
 Fax: 360-586-9727  
 TTY: Telecommunication Relay Services (TRS): 711  
 Email: [valerie.freudenstein@hca.wa.gov](mailto:valerie.freudenstein@hca.wa.gov)  
 Web site: [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking)  
 Other:

(If necessary)

Name: Mike Neuenschwander (Program Questions)  
 Address: PO Box 42716, Olympia, WA 98504  
 Phone: 360-725-0944  
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 Email: [mike.neuenschwander@hca.wa.gov](mailto:mike.neuenschwander@hca.wa.gov)  
 Web site: [www.hca.wa.gov/about-hca/rulemaking](http://www.hca.wa.gov/about-hca/rulemaking)  
 Other:

Additional comments:

**Date:** June 28, 2024

**Name:** Wendy Barcus

**Title:** HCA Rules Coordinator

**Signature:**