



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: January 15, 2025

TIME: 8:11 AM

WSR 25-03-076

Agency: Health Care Authority

Subject of possible rule making: 182-531A-0800 Applied behavior analysis (ABA) – Provider requirements; 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 revising this section to (1) add psychiatric mental health nurse practitioners as a diagnosing and prescribing provider for ABA; (2) clarify that the providers listed in subsection (4)(a) may require additional COE training for diagnosing and prescribing ABA for adults age 21 and over; and (3) clarify that providers in subsection (3)(a)(ii), (v), and (vi) do not require COE training for diagnosing/prescribing ABA for children age 20 and younger or adults age 21 and over. During this review, HCA may identify additional related changes that 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 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: Valerie Freudenstein (Rulemaking Questions)

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Other:

(If necessary)

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Other:

Additional comments:

Date: January 15, 2025

Name: Wendy Barcus

Title: HCA Rules Coordinator

Signature: