



PROPOSED RULE MAKING

CR-102 (July 2022)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: July 03, 2024

TIME: 10:03 AM

WSR 24-14-145

Agency: Health Care Authority

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 24-05-041 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) Chapter 182-140 WAC - Mobile Rapid Response Crisis Team Endorsement Standards

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
August 6, 2024	10:00 AM	The Health Care Authority holds public hearings virtually without a physical meeting place.	To attend the virtual public hearing, you must register in advance: https://us02web.zoom.us/webinar/register/WN_I_CtKOVXGQXCIK3UtUFFypw If the link above opens with an error message, please try using a different browser. After registering, you will receive a confirmation email containing information about joining the public hearing.

Date of intended adoption: August 7, 2024 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: HCA Rules Coordinator

Address: PO Box 42716, Olympia WA 98504-2716

Email: arc@hca.wa.gov

Fax: 360-586-9727

Other:

By (date) August 6, 2024 by 11:59 PM

Assistance for persons with disabilities:

Contact Johanna Larson

Phone: 360-725-1349

Fax: 360-586-9727

TTY: Telecommunication Relay Services (TRS): 711

Email: Johanna.larson@hca.wa.gov

Other:

By (date) July 26, 2024

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The agency has developed a new chapter to establish standards for issuing endorsements to mobile rapid response crisis teams and community-based crisis teams, as required by RCW 71.24. 903. The rules:

- Define the eligible organizations that may seek an endorsement to receive enhanced rates and supplemental performance payments
- Establish the endorsement application and renewal process, documentation, and on-site review required for eligible organizations and exempt community-based crisis teams
- Establish a process for tribal eligible organizations to seek endorsement
- Establish staffing, training, transportation, equipment, and other standards required for eligible organizations
- Describe how the agency directs the issuance of performance payments
- Establish procedures for notices of noncompliance that may result in application denial, endorsement suspension, or endorsement revocation, and establish a process to correct noncompliance.

Reasons supporting proposal: RCW 71.24.903 directs the agency to establish standards for issuing endorsements, including procedures for the denial, suspension, or revocation of an endorsement.

Statutory authority for adoption: RCW 41.05.021, 41.05.160, 71.24.903

Statute being implemented: RCW 41.05.021, 41.05.160, 71.24.903

Is rule necessary because of a:

- Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

Type of proponent: Private Public Governmental

Name of proponent: (person or organization) Health Care Authority

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Melinda Froud	PO Box 42716, Olympia, WA 98504-2716	360-725-1408
Implementation:	Demetria Hawkins	PO Box 42730, Olympia, WA 98504-2730	360-725-9984
Enforcement:	Demetria Hawkins	PO Box 42730, Olympia, WA 98504-2730	360-725-9984

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)?

Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

No: Please explain: RCW 34.05.328 does not apply to Health Care Authority rules unless requested by the Joint Administrative Rules Review Committee or applied voluntarily.

Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

- | | |
|---|--|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input checked="" type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#) (does not affect small businesses).

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: *Check one.*

- The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.
- The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: July 3, 2024

Name: Wendy Barcus

Title: HCA Rules Coordinator

Signature:



Chapter 182-140 WAC
MOBILE RAPID RESPONSE CRISIS TEAM ENDORSEMENT STANDARDS

NEW SECTION

WAC 182-140-0010 General. (1) This chapter establishes standards for issuing endorsements to mobile rapid response crisis teams (MRRCTs) and community-based crisis teams (CBCTs) according to RCW 71.24.903 and the authority's best practice guide. MRRCTs and CBCTs provide on-site interventions for people experiencing behavioral health emergencies.

(2) Eligible MRRCTs and CBCTs may receive an endorsement from the authority that allows a team under contract with a behavioral health administrative services organization to receive enhanced rates and supplemental performance payments.

(3) Tribal governments may seek an endorsement using the attestation process described in WAC 182-140-0060.

NEW SECTION

WAC 182-140-0020 Definitions. The following definitions apply to this chapter:

"Authority" means the Washington state health care authority.

"Behavioral health administrative services organization (BH-ASO)" means the same as in WAC 182-538-050.

"Behavioral health emergency" means a person is experiencing a significant behavioral health crisis that requires an immediate in-person response due to level of risk or lack of means for safety planning.

"Calendar days" means all days, including Saturdays, Sundays, and designated holidays under WAC 357-31-005.

"Community-based crisis team (CBCT)" means a team that is part of an emergency medical services agency, a fire service agency, a public health agency, a medical facility, a nonprofit crisis response provider, or a city or county government entity, other than a law enforcement agency, that provides the on-site, community-based interventions of a mobile rapid response crisis team (MRRCT) for people who are experiencing behavioral health emergencies.

"Eligible organization" means an entity serving as a mobile rapid response crisis team (MRRCT) or a community-based crisis team (CBCT) that is seeking an endorsement. An eligible organization must be one of the following:

- Any entity below operated by a tribal government;
- City or county government entity, other than a law enforcement agency;
- Emergency medical service agency;
- Fire department;
- Fire service agency;
- Licensed or certified behavioral health agency;
- Medical facility;

- Nonprofit crisis response provider;
- Nonprofit organization;
- Public health agency.

"Endorsed team" means a mobile rapid response crisis team (MRRCT) or a community-based crisis team (CBCT) that meets the endorsements standards in this chapter.

"Endorsement" or **"certificate of endorsement"** means a voluntary credential issued by the authority to a mobile rapid response crisis team (MRRCT) or a community-based crisis team (CBCT), which allows the team to become eligible for supplemental performance payments.

"Enhanced rate" means the increased rate paid to endorsed mobile rapid response crisis teams (MRRCT) and community-based crisis teams (CBCT) as described in RCW 71.24.903.

"Exempt community-based crisis team" means a team comprised solely of an emergency medical services agency, whether part of a fire service agency or a private entity, located in a rural county in eastern Washington with a population of less than 60,000 residents. Under RCW 71.24.903, minimum personnel standards do not apply in exempt eastern Washington counties.

"Exempt eastern Washington counties" means the following counties: Adams, Asotin, Columbia, Douglas, Ferry, Garfield, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Skamania, Stevens, and Whitman.

"Mental health care provider (MHCP)" means a provider recognized by the department of health as a registered, agency affiliated counselor who has primary responsibility for implementing an individualized plan for mental health rehabilitation services.

"Mental health professional (MHP)" means the same as in WAC 182-538D-0200.

"Mobile rapid response crisis team (MRRCT)" means a team that provides professional, on-site, community-based interventions such as outreach, de-escalation, stabilization, resource connection, and follow-up support for people who are experiencing a behavioral health emergency. A MRRCT must:

- Include certified peer counselors as a best practice to the extent practical based on workforce availability; and
- Meet standards for response times established by the authority's contracted BH-ASO.

"Regional dispatch protocols" means the protocols adopted by the regional BH-ASO to establish guidelines for dispatching necessary crisis services.

"Rural area" means a zip code with a population of less than 500 residents per square mile, an Indian reservation, and any location that requires travel by ferry or international travel to reach.

"Suburban area" means a zip code with a population of more than 500 residents per square mile but less than 3,000 residents per square mile.

"Supplemental performance payment" means an optional, additional payment described in RCW 71.24.903(10) that is greater than the enhanced rate. Endorsed teams are eligible for the supplemental performance payment if they demonstrate that they meet the required standards in this chapter.

"Urban area" means a zip code with a population of more than 3,000 residents per square mile.

NEW SECTION

WAC 182-140-0030 Application process. (1) **Application.** To apply for an endorsement, an eligible organization must submit an application for endorsement to the authority and all documentation required in subsection (3) of this section. Eligible organizations may apply:

(a) Online through the authority's website; or

(b) By completing the Crisis Team Endorsement Application form (HCA 82-0588) and mailing it to the authority.

(2) **Submission periods for applications.**

(a) A team must submit its completed application by January 1st to be eligible for a contract effective in July of the same year.

(b) A team must submit its completed application by July 1st to be eligible for a contract effective in January of the following year.

(c) The authority defers submissions received after the deadlines in (a) and (b) of this subsection until the next contract cycle.

(3) **Required documentation.** An eligible organization applying for an endorsement must also submit:

(a) A current contract with the behavioral health administrative services organization (BH-ASO) serving the region where the eligible organization will operate or a letter of intent to contract once the team is endorsed;

(b) The eligible organization's policies and procedures that outline how it will comply or how it currently complies with the training requirements in WAC 182-140-0090;

(c) A copy of the transportation plan outlined in WAC 182-140-0100; and

(d) A copy of the eligible organization's staffing plan described in WAC 182-140-0080.

(4) **Community-based crisis teams (CBCT).** A CBCT that intends to contract with a licensed and certified behavioral health agency (BHA) to provide staff must also submit:

(a) The contracting BHA's active contract with the BH-ASO located in the region where the CBCT will operate; or

(b) A letter of intent from the BH-ASO to establish a contractual relationship with the contracting BHA upon the CBCT receiving an endorsement.

NEW SECTION

WAC 182-140-0040 Application requirements for exempt community-based crisis teams. A community-based crisis team (CBCT) exempt from minimum personnel standards must submit the application described in WAC 182-140-0030(1) and:

(1) Policies and procedures that outline how the exempt CBCT will comply with the training requirements in WAC 182-140-0090;

(2) A memorandum of understanding with a licensed behavioral health agency (BHA) certified to provide crisis services and direct, real-time consultation through a behavioral health provider while the team is responding to a crisis call;

(3) A copy of the BHA's active contract with the behavioral health administrative services organization (BH-ASO) located in the region where the exempt CBCT will operate;

(4) A written plan describing how the responders will access the required real-time consultation with the behavioral health clinicians, which includes:

- (a) The equipment to be used; and
 - (b) How the consultation will be documented and by which party.
- (5) A staffing plan that identifies:

(a) How the exempt CBCT will be staffed 24 hours per day, seven days a week, with an outline of when each position is available to respond; and

(b) Policies and procedures that describe how staff will respond safely and meet the time requirements in the regional dispatch protocols.

(6) Policies and procedures to ensure follow-up crisis services are provided after an initial response or a copy of a memorandum of understanding with a mobile rapid response crisis team (MRRCT) to provide follow-up crisis services. The memorandum of understanding must:

(a) Be with an MRRCT that is licensed and certified to provide crisis services that are clinically appropriate; and

(b) Contain clear guidelines on how and when the transfer of care will occur and the expectation to follow up within a defined set of time.

NEW SECTION

WAC 182-140-0050 Endorsement renewal. Endorsed teams seeking renewal must submit the application and all current documentation described in WAC 182-140-0030.

(1) An endorsed team must submit its renewal application and current documentation every three years. For a contract cycle from:

(a) January 1st through June 30th, the endorsed team's submission is due by July 1st of the previous year.

(b) July 1st through December 31st, the endorsed team's submission is due by January 1st of the current year.

(2) Failure to timely complete this requirement may result in suspension or revocation of the team's endorsement and denial of any enhanced rates or supplemental payments.

NEW SECTION

WAC 182-140-0060 Tribal endorsement process. (1) Tribal eligible organizations may seek endorsement through the government-to-government process described in this section.

(2) Under this process, a tribal eligible organization must submit:

(a) The endorsement application and materials described in WAC 182-140-0030, as applicable;

(b) A Tribal Endorsement Attestation form (HCA 82-0599), confirming the organization meets the state minimum standards for mobile crisis services as described in WAC 182-140-0080, 182-140-0090, and 182-140-0100;

(c) A copy of its policies and procedures for the endorsement standards identified in (b) of this subsection; and

(d) Photographs showing that the organization's vehicle or vehicles meet the requirements of WAC 182-140-0100 (2), (3), and (4).

(3) After all materials are submitted, the authority and the tribal eligible organization meet to review and finalize all application materials and discuss any technical assistance needed.

(4) Following review and acceptance of the application and related materials, the authority issues the tribal eligible organization a certificate of endorsement and:

(a) Notifies all behavioral health administrative services organizations; and

(b) Negotiates an Indian Nation Agreement (INA) with the tribe that outlines:

(i) Government-to-government monitoring; and

(ii) Denial, suspension, and revocation procedures under the terms of the parties' negotiated INA.

(5) The provisions of WAC 182-140-0120 and 182-140-0130 do not apply to tribal eligible organizations.

NEW SECTION

WAC 182-140-0070 On-site review process. Eligible organizations must successfully complete and pass an on-site review.

(1) **On-site review.** The authority schedules the on-site review after it receives and approves all documentation required for an endorsement as described in this chapter. The on-site review examines the following:

(a) Employee files;

(b) Training materials and trainer qualifications;

(c) Any vehicle operated by an eligible organization; and

(d) Records of training certificates, if required, and driver licenses for all personnel who operate the vehicle.

(2) **Completion of on-site review.** After completing its on-site review, the authority sends the eligible organization a notice for any items that do not meet endorsement standards.

(a) The eligible organization has 30 calendar days from the date of the notice to resolve any items that do not meet endorsement standards.

(b) If the eligible organization has not resolved all outstanding issues within 30 days, the authority may deny the application.

(3) **Issuance of endorsement.** The authority issues a certificate of endorsement after it has reviewed and approved all required documentation and the eligible organization has satisfactorily completed its on-site review. Once endorsed, the eligible organization receives the enhanced rate.

(4) **Tribal exemption.** Tribal eligible organizations seeking endorsement through the process described in WAC 182-140-0060 are exempt from the on-site review.

NEW SECTION

WAC 182-140-0080 Staffing standards. To be endorsed, eligible organizations must meet the staffing standards described in this section.

(1) **Staffing plan.** An eligible organization must have a staffing plan that includes:

(a) How an eligible organization will be staffed 24 hours a day, seven days a week, including when each position is available to respond and where the teams are located;

(b) How peers will be incorporated into the response team;

(c) How peers will be recruited and any anticipated challenges for them;

(d) Policies and procedures for how staff will respond safely and meet the time requirements in the regional dispatch protocols; and

(e) Policies and procedures for ensuring follow-up crisis services occur after an initial response.

(2) **Additional staffing documentation for community-based crisis teams (CBCT).** A CBCT that contracts with a licensed and certified behavioral health agency to meet the staffing requirements described in WAC 182-140-0090 must have a staffing plan that includes:

(a) Which staff are involved in the agreement;

(b) The role of each staff member;

(c) How staff will access clinical supervision 24 hours a day, seven days a week, for real-time consultation; and

(d) How frequently clinical supervisors will provide ongoing coaching, case consultation, and clinical debriefing in a trauma informed manner, including how to:

(i) Review charts; and

(ii) Provide clinical quality assurance.

(3) **Mobile rapid response crisis teams and nonexempt CBCTs.** Eligible organizations that are not seeking the personnel exemption in RCW 71.24.903(3) must have sufficient staffing to ensure an in-person response is available 24 hours a day, seven days a week, and must:

(a) Meet the required response times described in RCW 71.24.903;

(b) Provide all outreach in pairs unless it is not clinically appropriate;

(c) Provide follow-up services as clinically appropriate to a person seeking behavioral health assistance and connect the person to ongoing support; and

(d) Be composed of the following behavioral health clinical staff who are appropriately credentialed or licensed within their scope of practice and meet the criteria below:

(i) A mental health professional (MHP);

(ii) A mental health care provider (MHCP);

(iii) A certified peer counselor who meets the criteria in WAC 182-115-0100; or

(iv) Another behavioral health or medical professional working within their scope of practice under an approved staffing plan, as needed, to meet staffing requirements; and

(v) Include at least one MHP or MCHP during an initial response and a certified peer counselor, when available.

(e) Have an MHP supervise when the responding team staff are in the field; and

(f) Have access to an MHP 24 hours a day, seven days a week, for consultation. The consulting MHP may be the team supervisor or another MHP.

NEW SECTION

WAC 182-140-0090 Training standards. An eligible organization's policies and procedures must meet the training standards in this section to receive endorsement. In addition, all staff must receive training sponsored by the authority, behavioral health administrative services organizations, tribes, or eligible organizations, as applicable.

(1) **Required staff training.** All staff must receive the training described in this section, as applicable, before an eligible organization submits its application. Staff hired during or after the application process must complete the training described in this section, following the time requirements in subsections (2) and (3) of this section.

(2) **Training required within 90 days.** All staff must receive the following training within 90 calendar days of their hiring date:

(a) Developmentally appropriate modules for:

(i) Trauma-informed care;

(ii) Harm reduction; and

(iii) Basic de-escalation training.

(b) CPR;

(c) First aid;

(d) Naloxone administration;

(e) Suicide prevention training for health professionals approved by the department of health. Training required for behavioral health clinical staff licensure meets this standard if it is kept up to date; and

(f) Confidentiality standards established in chapters 70.02, 71.34, and 71.05 RCW.

(3) **Training required within 180 days.** All staff must complete the following training within 180 calendar days of their hiring date:

(a) Authority-sponsored certified crisis intervention specialist training;

(b) Regional crisis system training approved by the behavioral health administrative services organization (BH-ASO), as available; and

(c) Authority-approved training on the Indian health care delivery system, including the government-to-government relationship between the state of Washington and federally recognized Indian tribes.

(4) **Exception for tribes.** The authority considers the staff of teams operated by or for a tribe to meet the applicable requirements in subsection (3)(b) and (c) of this section.

(5) **Crisis supervision training for supervisors.** Supervisors must complete authority-sponsored crisis supervision training that includes the following:

(a) Trauma-informed supervision; and

(b) Monitoring for staff burnout.

(6) **Vehicle operation training.** Before operating an eligible organization's vehicle, staff must be trained in the following:

(a) Defensive driving;

(b) Operation of equipment compliant with the Americans with Disabilities Act; and

(c) Any specialized training necessary to operate the vehicle.

(7) **Additional training.** Eligible organizations must also provide any additional training required by the authority.

(8) **Approval of existing training materials.** An eligible organization may apply to have its training materials approved to meet the criteria required in this section. The organization must submit its training materials to the authority for approval as part of the application process described in WAC 182-140-0030.

(9) **Approved trainers.** Trainers must be approved by the authority. An organization may apply to have its own staff become approved trainers when:

(a) The staff member has completed the initial trainer course for specified trainings; and

(b) The organization has reviewed the staff member's credentials to ensure the person is competent to train others about the subject matter.

NEW SECTION

WAC 182-140-0100 Transportation, equipment, and communication standards. An eligible organization must meet the transportation, vehicle, and communication standards in this section to receive an endorsement.

(1) **Transportation plan.** An eligible organization must have a transportation plan.

(a) The plan's policies and procedures must explain how the organization will:

(i) Comply with regional transportation procedures;

(ii) Provide timely transportation when a transport need is identified, as clinically appropriate;

(iii) Ensure safe transport for passengers and staff;

(iv) Ensure all staff who transport passengers are legally qualified to operate the vehicle;

(v) Arrange for alternative transport when the team is unable to provide transportation;

(vi) Ensure that people experiencing mobility disabilities have safe transport to a facility; and

(vii) Document the reasons for an unsuccessful transport and how to address them in the future.

(b) An eligible organization must follow incident reporting guidelines and notify the authority of any critical incidents or accidents that occur during transport. Eligible organizations must use the critical incident reporting system.

(2) **Vehicle requirements.** An eligible organization must have access to an adequate number of vehicles to respond to and transport people experiencing significant behavioral health emergencies to a location that will provide the appropriate level of crisis stabilization services.

(a) Vehicles must:

(i) Be owned or leased by the eligible organization;

(ii) Have proper licensing and registration;

(iii) Be maintained in good working order; and

(iv) Meet all safety requirements.

An automotive service excellence (ASE) certified mechanic must complete a certificate of safety to demonstrate that the vehicle has passed a uniform vehicle safety inspection before the authority issues an endorsement or renewal. If there is concern that a vehicle does not meet all safety requirements after receiving an ASE certification, the authority or the behavioral health administrative services organization (BH-ASO) may require another formal inspection by a qualified professional.

(v) Have vehicle insurance coverage that applies to private, non-profit transportation providers and meets the minimum limits of WAC 480-31-070;

(vi) Have 24 hour, seven days a week access to vehicles that meet the Americans with Disabilities Act (ADA) requirements for transporting a person experiencing mobility disabilities or be a licensed ambulance or aid vehicle as described in chapter 18.73 RCW.

(b) If an eligible team does not have a vehicle that meets the requirements of (a)(vi) of this subsection, the team must have policies and procedures on how it will transport someone experiencing mobility disabilities.

(3) **Equipment.** All equipment must be maintained in good working order and requires a formal inspection by a qualified professional when requested by the authority or the contracted behavioral health administrative services organization (BH-ASO).

(a) **Vehicle equipment.** Vehicles operated by eligible organizations must have:

(i) The appropriate equipment to ensure the person being transported is unable to interfere with the driver's safe operation of the vehicle;

(ii) Doors and windows that can be secured by the driver;

(iii) Appropriate seat belts for the safety of staff and the person being transported, including child safety seats or booster seats as necessary;

(iv) Appropriate or necessary equipment to respond to weather conditions and roadside emergencies; and

(v) The ability to track the location of the vehicle and team.

(b) **Communication equipment.** All vehicles must be equipped with communication equipment that is in good working order.

(i) Equipment must allow for:

(A) Direct two-way communication between the team and its dispatch control point; and

(B) Communication with emergency services.

(ii) All teams must be equipped to access electronic health records (EHR) and referral records through a remote means, where coverage is available, and be able to print records when needed; and

(iii) All equipment must be compatible with authority-designated technology platforms.

(4) **Other equipment.** Eligible organizations must carry Naloxone.

NEW SECTION

WAC 182-140-0110 Endorsed team supplemental performance payment.

(1) Only endorsed teams that respond to behavioral health emergencies and meet the response times described in RCW 71.24.903 for rural, sub-

urban, and urban areas are eligible to receive a supplemental performance payment.

(2) Teams must follow behavioral health administrative services organization (BH-ASO) data reporting requirements to document their response times.

(3) The authority calculates response times based on the reported information on a quarterly basis.

(4) The authority certifies a team that has met performance requirements and directs the BH-ASO to issue the performance payment.

NEW SECTION

WAC 182-140-0120 Notice of noncompliance. (1) **Denial of application.** The authority sends a notice of noncompliance that may result in the denial of an eligible organization's initial application or the denial of an endorsed team's renewal application if the eligible organization or endorsed team:

(a) Fails to meet the applicable endorsement standards described in WAC 182-140-0080, 182-140-0090, and 182-140-0100;

(b) Fails to cooperate or disrupts the authority's representatives during an on-site review or during a behavioral health administrative services organization's (BH-ASO) complaint investigation under its contract with the endorsed team;

(c) Knowingly, or with reason to know, makes a false statement of fact or fails to submit required information;

(d) Holds itself out as endorsed when the authority has denied or revoked the organization's endorsement, or the organization has surrendered its endorsement;

(e) Fails to timely provide satisfactory application materials;

(f) Fails to comply with any other requirement for endorsement described in this chapter; or

(g) Fails to meet the terms of its contract with the BH-ASO.

(2) **Endorsement suspension.** The authority sends an endorsed team a notice of noncompliance that may result in an endorsement suspension if the endorsed team fails to:

(a) Submit renewal materials prior to the closing of the application period;

(b) Schedule or timely complete the on-site review;

(c) Meet the endorsement standards outlined in WAC 182-140-0080, 182-140-0090, and 182-140-0100;

(d) Provide the services for which the eligible organization is endorsed; or

(e) Follow the terms of their BH-ASO contract.

(3) **Exception for tribal organizations.** Subsections (1) and (2) of this section and WAC 182-140-0130 do not apply to tribal eligible organizations or tribal endorsed organizations. Tribal organizations follow the process laid out in the organization's Indian Nation Agreement described in WAC 182-140-0060 regarding any noncompliance with the endorsement standards in this chapter.

NEW SECTION

WAC 182-140-0130 Correction of noncompliance. If an eligible organization or endorsed team receives a notice of noncompliance, the organization or team may demonstrate compliance as follows:

(1) **Correction of application.** For notices of noncompliance for an eligible organization's application:

(a) An eligible organization has 30 calendar days from the date of the notice of noncompliance to submit proof of all corrected deficiencies.

(b) The authority reviews the supplemental information and responds to the eligible organization within 30 calendar days of receipt.

(c) If the organization or team fails to timely submit proof of the corrected deficiency, the authority denies the application.

(2) **Correction of endorsement standards.** An endorsed team has 30 calendar days from the date of the notice of noncompliance to submit proof of all corrected deficiencies.

(a) An endorsed team must submit:

(i) Documentation proving compliance with standards; or

(ii) A plan to be approved by the authority to correct noncompliant compliance procedures within 90 calendar days of the notice of noncompliance, or both.

(b) The endorsed team must provide the authority with evidence of the correction within 90 calendar days of the notice of noncompliance.

(c) The authority reviews the evidence of the correction and, within 30 calendar days of receipt, determines whether the team is compliant.

(d) If the authority's evaluation confirms the endorsed team has satisfied the requirements for compliance, the authority provides written notice confirming the team's compliance.

(e) If an endorsed team fails to satisfy the requirements for compliance within the 30-day period, the authority issues a 90-calendar-day suspension notice. A suspended team is not eligible for supplemental performance payments during its suspension, and the suspension may impact the team's priority response status within the regional dispatch protocols.

(f) If an endorsed team fails to satisfy the requirements for compliance within the suspension period, the authority issues a notice of revocation of endorsement.

(3) **Endorsement revocation.** The authority sends an eligible organization a notice of noncompliance that may result in an endorsement revocation if the eligible organization fails to:

(a) Timely renew its endorsement every three years; or

(b) Remedy the cause of a suspended endorsement.

(4) **Surrender of endorsement.** An endorsed team may surrender its endorsement at any time. A team that surrenders its endorsement may continue to operate, but is no longer eligible to receive enhanced payments or supplemental performance payments.