



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

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STATE OF WASHINGTON
FILED

DATE: September 11, 2024

TIME: 9:42 AM

WSR 24-19-037

Agency: Health Care Authority

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) November 1, 2024 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: The agency is amending WACs 182-505-0100 and 182-509-0305 to increase the income standards for pregnancy and postpartum groups from 193% to 210% of the federal poverty level. This increase is consistent with RCW 74.09.830 and 74.09.839.

Citation of rules affected by this order:

New:

Repealed:

Amended: 182-505-0100, 182-509-0305

Suspended:

Statutory authority for adoption: RCW 41.05.021, 41.05.160

Other authority: RCW 74.09.830, 74.09.839

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 24-16-113 on August 5, 2024 (date).

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

| | | | | | | |
|----------------------------------|-----|-----|---------|----------|----------|-----|
| Federal statute: | New | ___ | Amended | ___ | Repealed | ___ |
| Federal rules or standards: | New | ___ | Amended | ___ | Repealed | ___ |
| Recently enacted state statutes: | New | ___ | Amended | <u>2</u> | Repealed | ___ |

The number of sections adopted at the request of a nongovernmental entity:

| | | | | | |
|-----|-----|---------|-----|----------|-----|
| New | ___ | Amended | ___ | Repealed | ___ |
|-----|-----|---------|-----|----------|-----|

The number of sections adopted on the agency's own initiative:


| | | | | | |
|-----|-----|---------|-----|----------|-----|
| New | ___ | Amended | ___ | Repealed | ___ |
|-----|-----|---------|-----|----------|-----|

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

| | | | | | |
|-----|-----|---------|----------|----------|-----|
| New | ___ | Amended | <u>2</u> | Repealed | ___ |
|-----|-----|---------|----------|----------|-----|

The number of sections adopted using:

| | | | | | | |
|--------------------------------|-----|-----|---------|----------|----------|-----|
| Negotiated rule making: | New | ___ | Amended | ___ | Repealed | ___ |
| Pilot rule making: | New | ___ | Amended | ___ | Repealed | ___ |
| Other alternative rule making: | New | ___ | Amended | <u>2</u> | Repealed | ___ |

| | |
|---|---|
| Date Adopted: September 11, 2024 | Signature:  |
| Name: Wendy Barcus | |
| Title: HCA Rules Coordinator | |

WAC 182-505-0100 Monthly income standards for MAGI-based programs. (1) Each year, the federal government publishes new federal poverty level (FPL) income standards in the Federal Register found at <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines/prior-hhs-poverty-guidelines-federal-register-references>.

(a) The income standards for the following Washington apple health programs change on the first day of April every year based on the new FPL, except for subsections (2) and (3) of this section.

(b) The agency determines income eligibility by comparing countable income (~~as determined~~) of the person's medical assistance unit (MAU), as determined under WAC 182-506-0010 and 182-506-0012, to the applicable income standard. Rules for determining countable income are in chapter 182-509 WAC.

(2) Parents and caretaker relatives under WAC 182-505-0240 must have countable income equal to or below the following standards:

| Medical Assistance Unit Size | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11+ |
|------------------------------|-------|-------|-------|-------|---------|---------|---------|---------|---------|---------|---------|
| Income Standard | \$511 | \$658 | \$820 | \$972 | \$1,127 | \$1,284 | \$1,471 | \$1,631 | \$1,792 | \$1,951 | \$1,951 |

(3) Parents and caretaker relatives with earned income above the limits in subsection (2) of this section are the only people who may be eligible for the transitional medical program described in WAC 182-523-0100.

(4) Adults described in WAC 182-505-0250 who are not eligible under subsection (2) or (3) of this section must have countable income equal to or below (~~one hundred thirty-three~~) 133 percent of the FPL.

(5) Pregnant people described in WAC 182-505-0115 must have countable income equal to or below (~~one hundred ninety-three~~) 210 percent of the FPL.

(6) Children with countable income:

(a) Equal to or below (~~two hundred ten~~) 210 percent of the FPL as described in WAC 182-505-0210 (~~(3)(a)(i)~~) receive coverage at no cost.

(b) Greater than (~~two hundred ten~~) 210 percent but equal to or less than (~~three hundred twelve~~) 312 percent as described in WAC 182-505-0210 (~~(3)(a)(ii)~~) receive premium-based coverage. Premium amounts are described in WAC 182-505-0225.

WAC 182-509-0305 MAGI income—Persons subject to the modified adjusted gross income (MAGI) methodology. (1) Eligibility for Washington apple health for the following people is determined using the modified adjusted gross income (MAGI) methodology described in WAC 182-509-0300:

(a) Parents or caretaker relatives with an eligible dependent child (described in WAC 182-503-0565) whose net countable income is below 54 percent of the federal poverty level (FPL) as described in WAC 182-505-0240.

(b) Parents or caretaker relatives with an eligible dependent child whose net countable income exceeds the standard described in (a) of this subsection but is at or below 133 percent FPL as described in WAC 182-505-0250 and 182-507-0110.

(c) Adults with no eligible dependent child with net countable income at or below 133 percent FPL as described in WAC 182-505-0250 and 182-507-0110.

(d) Pregnant people whose net countable income, based on a household size that includes any unborn children, is equal to or below (~~(193)~~) 210 percent FPL at the time of application, as described in WAC 182-505-0115.

(e) People within the 12-month postpartum period beginning the month after the pregnancy ends whose net countable income is equal to or below (~~(193)~~) 210 percent FPL at the time of application, as described in WAC 182-505-0115.

(f) Children age 18 or younger in households with net countable income which is equal to or below 210 percent FPL, as described in WAC 182-505-0210 (~~((3)(a))~~).

(g) Children age 18 or younger in households with net countable income that is (~~(between)~~) greater than 210 percent (~~(and)~~) but equal to or below 312 percent FPL, as described in WAC 182-505-0215. Children who are eligible under this section are subject to premiums as described in WAC 182-505-0225.

(h) People age 18 and older who have income over 150 percent FPL who are financially and functionally eligible to receive the community behavioral health support services (CBHS) benefit, as described in chapter 182-561 WAC.

(2) Household size for a person who is subject to MAGI income methodologies is determined according to WAC 182-506-0010.