

## **Table of Contents**

**State/Territory Name: Washington**

**State Plan Amendment (SPA) # 24-0030**

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form
- 3) Approved SPA Pages

**DEPARTMENT OF HEALTH & HUMAN SERVICES**

Centers for Medicare & Medicaid Services  
7500 Security Boulevard, Mail Stop S3-14-28  
Baltimore, Maryland 21244-1850



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**Financial Management Group**

September 18, 2024

Charissa Fotinos, Medicaid Director  
Health Care Authority  
PO Box 45502  
Olympia, WA 98504-5010

RE: TN 24-0030

Dear Director Fotinos:

The Centers for Medicare & Medicaid Services (CMS) has reviewed the proposed Washington state plan amendment (SPA) to Attachment 4.19-A WA 24-0030, which was submitted to CMS on July 22, 2024. This plan amendment updates the dollar amounts for long-term civil commitment per diem rates and add language regarding per diem rate enhancements for Washington State free standing psychiatric hospitals that contract with the agency to provide services for long-term civil commitment patients.

We reviewed your SPA submission for compliance with statutory requirements, including in sections 1902(a)(2), 1902(a)(13), 1902(a)(30), 1903 as it relates to the identification of an adequate source for the non-federal share of expenditures under the plan, as required by 1902(a)(2), of the Social Security Act and the applicable implementing Federal regulations.

Based upon the information provided by the state, we have approved the amendment with an effective date of July 1, 2024. We are enclosing the approved CMS-179 and a copy of the new state plan pages.

If you have any additional questions or need further assistance, please contact Tom Caughey at 517-487-8598 or via email at [Tom.caughey@cms.hhs.gov](mailto:Tom.caughey@cms.hhs.gov).

Sincerely,

A handwritten signature in black ink that reads 'Rory Howe' in a cursive script.

Rory Howe  
Director  
Financial Management Group

Enclosures

**TRANSMITTAL AND NOTICE OF APPROVAL OF  
STATE PLAN MATERIAL  
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER ____ _	2. STATE ____
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3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL SECURITY ACT XIX XXI
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TO: CENTER DIRECTOR  
CENTERS FOR MEDICAID & CHIP SERVICES  
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE
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5. FEDERAL STATUTE/REGULATION CITATION
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6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)
a. FFY _____ \$ _____
b. FFY _____ \$ _____

7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT
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8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable)
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9. SUBJECT OF AMENDMENT
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10. GOVERNOR'S REVIEW (Check One)	
GOVERNOR'S OFFICE REPORTED NO COMMENT COMMENTS OF GOVERNOR'S OFFICE ENCLOSED NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL	OTHER, AS SPECIFIED: Exempt

11. SIGNATURE OF STATE AGENCY OFFICIAL <i>Chen Jia MD, MSc</i>
12. TYPED NAME
13. TITLE
14. DATE SUBMITTED

15. RETURN TO
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**FOR CMS USE ONLY**

16. DATE RECEIVED July 22, 2024
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17. DATE APPROVED September 18, 2024
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**PLAN APPROVED - ONE COPY ATTACHED**

18. EFFECTIVE DATE OF APPROVED MATERIAL July 1, 2024
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19. SIGNATURE OF APPROVING OFFICIAL <i>Rory Howe</i>
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20. TYPED NAME OF APPROVING OFFICIAL Rory Howe
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21. TITLE OF APPROVING OFFICIAL Director, FMG
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22. REMARKS
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## STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State WASHINGTON**METHODS AND STANDARDS FOR ESTABLISHING  
PAYMENT RATES FOR INPATIENT HOSPITAL SERVICES**

## E. PER DIEM AND RCC PAYMENT METHODS (cont.)

## 1. Per diem rate (cont.)

## d. Per diem rates determination for long-term civil commitment psychiatric services

- ✓ Effective for dates of admission beginning July 1, 2021

## Acute Care Hospitals with psychiatric units

- Hospitals that have a 12-month Medicare cost report on file with at least 200 Washington Medicaid psychiatric bed days, will receive a long term psychiatric per diem rate equivalent to their costs documented on their most recent Medicare cost report Hospitals that do not have a 12-month cost report with at least 200 Washington Medicaid psychiatric bed days, will receive a long-term civil commitment psychiatric per diem rate equivalent to the greater of either the average of all acute care hospitals providing long-term civil commitment psychiatric services, in-state provider-specific long-term civil commitment psychiatric per diem rates, or their current short-term psychiatric per diem. This is applied to any hospital that accepts patients committed to a psychiatric facility for a period of 90 days or greater. The Agency set the rate so as not to exceed the amounts provided by the Legislature.

## Free Standing Psychiatric hospitals

- Will receive a specific long-term civil commitment psychiatric per diem as directed by the Washington State Legislature and approved by CMS, which may be adjusted in future years to account for additional appropriated funding. In addition to the per diem rate, the hospital may submit supplemental cost data to the authority for consideration. If approved, the appropriate adjustments to the Medicaid inpatient long-term civil commitment psychiatric per diem payment rate of the hospital will be made. Adjustment of costs may include any of the following:
  - Costs associated with professional services and fees not accounted for in the hospital's Medicare cost report or reimbursed separately.
  - Costs associated with the hospital providing the long-term psychiatric patient access to involuntary treatment court services that are not reimbursed separately.
  - Other costs associated with caring for long-term civil commitment psychiatric patients that are not reimbursed separately.

## STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State WASHINGTON**METHODS AND STANDARDS FOR ESTABLISHING  
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## E. PER DIEM AND RCC PAYMENT METHODS (cont.)

## 1. Per diem rate (cont.)

d. Per diem rates determination for long-term civil commitment psychiatric services  
- free standing psychiatric hospitals (cont)

- Providers may receive only one of the following enhancements per patient per day:
  - Hospitals that provide services for patients moving from a criminal to civil commitment will receive a rate enhancement for the additional requirements of these patients.
  - Hospitals that provide services for patients with complex medical needs or challenging behaviors will receive a rate enhancement for the additional requirements of these patients.

The Agency sets the rate so as not to exceed the amounts provided by the Legislature. See 4.19-B I, General, #G for the agency's website where the fee schedules are published.