

2020 WSHA TOP PRIORITY STATE RULE MAKING

PRIORITY	NAME OF RULE, AGENCY & DESCRIPTION	STATUS	ADOPTION DATE	EFFECTIVE DATE	WSHA POSITION	WSHA CONTACT
1	Chapter 280-070 WAC Hospital Pharmacy-Associated Clinics, the Pharmacy Quality Assurance Commission, is establishing standards supporting the regulation, inspection, and investigation of pharmacy services provided in individual practitioner offices and multi-practitioner clinics owned and operated by a hospital based on a level of risk and the type of pharmacy services provided at a particular location.	Emergency rule See proposal	N/A	Effective Nov 26, 19	SUPPORT	Lauren McDonald lauren@wsaha.org
1	Tax Exemption Standards and Requirements for Nonprofit Hospitals (WAC 500 20-220 and -260) - The Washington State Department of Revenue is amending rules - 220 and -260 to clarify property tax exemption standards and requirements for nonprofit organizations organized and conducted for nonsectarian purposes and nonprofit child day care centers, fire stations, orphanages, homes for sick or infirm, hospitals, outpatient dialysis facilities.	Proposed	3rd quarter 2020	N/A	SUPPORT WSHA commented	Andrew Buzi andrew@wsaha.org
1	Opioid Prescribing from Opioidologic Physicians- The Board of Opioidologic Medicine and Surgery is proposing amendments to establish patient notification, documentation, counseling requirements, and right to refuse an opioid prescription or order for any reason, when prescribing opioid drugs, as directed by Substitute Senate Bill (SSB) 5080	Proposed	December 6, 2019	N/A	SUPPORT	Lauren McDonald lauren@wsaha.org
1	HCA Opioid Prescribing/Patient Notification- Amend: WAC 280-029-060 and WAC 280-029-015 to establish requirements for patient notification when prescribing opioid drugs, as directed by Substitute Senate Bill (SSB) 5080 (chapter 50, Laws of 2019).	Proposed	December 12, 2019	N/A	SUPPORT	Lauren McDonald lauren@wsaha.org
1	Energy Performance Standards for Commercial Buildings (See an Buildings)- The Department of Commerce is implementing 100 HR 1291, which requires the department to establish a state energy performance standard for commercial buildings. It requires that the standard must include energy use intensity targets by building type and methods of conditional compliance, and that Commerce develop administrative procedures for the early adopter incentive program and mandatory compliance program.	See proposal	January 11, 2020	N/A	MONITOR	Lauren McDonald lauren@wsaha.org
1	Behavioral health agencies- Department of Health- 280-002 - DCHHS reviewing relevant regulations for inpatient mental health services to identify potential changes to address care delivery for adults on 90 and 180 day commitment orders. DCHHS is also considering establishing rules to create standards for licensure or certification of intensive behavioral health treatment facilities and community behavioral health agencies to provide mental health peer respite center services to implement beyond Substitute House Bill (2019) 1094(Chapter 53, Laws of 2019)	Proposed	January 28, 2020	N/A	SUPPORT	Jacklyn Greenberg jacklyn@wsaha.org

Priority	NAME OF RULE, AGENCY & DESCRIPTION	STATUS	ADDITION DATE	EFFECTIVE DATE	WEMA PORTION	WEMA CONTACT
1	Ambulance Transportation: The Health Care Authority is revising WAC 240-100-0201 through 240-100-0202 to update ambulance program policies, clarify existing policies and coverage, remove outdated information, update erroneous rule citations, and perform other housekeeping fixes. The agency began this process under WAC 10-01-001, but the project was placed on hold several times to allow for other related ambulance transportation rulemakings to occur within this chapter, such as SEMT program, Risky Garcia Act, Treat and Refer. The agency is now restarting this project and wants to make sure that our interested stakeholder list is current.	See Project	N/A	N/A	MONITOR	Lauren McDonald lauren@wcha.org
1	Hospital licensing fee increase: The Department of Health is planning to propose increases to initial and renewal licensing fees for acute care, psychiatric, and chemical dependency hospitals. Current fees do not provide sufficient funds to license, inspect, investigate, and perform other regulatory work to protect patient safety.	Issue brief Hospital fee cost	N/A	N/A	MONITOR	Andrew Buco andrewb@wcha.org
1	Emergency Medical Services (EMS) and Trauma Care Systems - WAC 240-070 - Department of Health by Department of Health (DOH) is updating EMS sections to align with national standards and respond to legislative requirements by: (1) considering updates to align with current national standards; (2) making regulations more clear and concise; (3) responding to statutory requirements; and (4) streamlining initial and renewal application processes for per-hospital services licenses and EMS provider certification. ((Ch. 240-070 WAC))	See Project	N/A	N/A	MONITOR	Lauren McDonald lauren@wcha.org
1	Charity care – The Department of Health will consider rulemaking to revise the state regulations pertaining to charity care (WAC 240-010) to comply with legislation passed in 2018.	See Project Ambulance agency	N/A	N/A	CONCERN	Zoea Starkey zoea@wcha.org
1	Health Care Authority- Chapter 240-080 WAC, Federally qualified health centers; Chapter 240-090 WAC, Rural health clinics. The agency is amending these sections to clarify payment methodology and update policy for Rural Health Clinics.	See Project	N/A	N/A	MONITOR	Andrew Buco andrewb@wcha.org
1	Pharmacy Re-Write Project: Operational Standards - As part of its general re-write project, the Department of Health (DOH), Pharmacy Quality Assurance Commission, is considering revising rules around operational standards for facilities under the Commission's jurisdiction and is considering reorganizing these standards into a new chapter or chapters to address any changes identified as needed. (WAC 240-xxx)	See Project Draft operational standards	N/A	N/A	SUPPORT	Lauren McDonald lauren@wcha.org

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1	Pharmacy Re-Write Project: Regulatory Framework - As part of its general re-write project, the Department of Health (DOH), Pharmacy Quality Assurance Commission, is reexamining and modernizing the standards around its regulatory framework or other general provisions applicable to the pharmacy practice as part of an overhaul of all the outdated rules. The rules require modernization to better align with current pharmacy practice, trends and industry standards. (WAC 246-800)	Pre-Proposal Draft proposal submitted	N/A	N/A	SUPPORT	Laurie McDonald laurie@wma.org
1	Pharmacy Re-Write Project: As part of its general re-write project, the Department of Health (DOH), Pharmacy Quality Assurance Commission, is considering revising its rules around licensing of pharmacists, facilities, and professionals that fall under the commission's jurisdiction. The commission will reevaluate current licensing standards, and will consider reorganizing licensing standards into a new chapter or chapters to address any changes identified as needed.	Pre-Proposal Draft general licensing standards	N/A	N/A	SUPPORT	Laurie McDonald laurie@wma.org
1	Pharmacy Re-Write Project: As part of its general re-write project, the Department of Health (DOH), Pharmacy Quality Assurance Commission, is considering revising its rules around professional standards for pharmacy personnel under the commission's jurisdiction and considering reorganizing these standards into a new chapter or chapters to address any changes identified as needed.	Pre-Proposal Draft professional standards	N/A	N/A	SUPPORT	Laurie McDonald laurie@wma.org
1	Certificate of Need: The Department of Health is opening all rules related to Certificate of Need (CN) in chapter 246-200 WAC. The Department is considering amending, creating, and repealing some or all rules to clarify, streamline, diverting progressive enforcement tools, and modernize language. This review will include examining general and specific facility type need methodologies. Updates to rules will take into account incorporating national optimal approaches, providing clear and consistent guidance, and reducing litigation. As part of the rulemaking process, the department will consider the rulemaking topics in recently withdrawn Petitioners (CR-2017) as well as recent petitions regarding updates to need methodologies. WMA is in active discussions with the Department to more clearly understand the approach and breadth in this rulemaking.	Pre-Proposal	N/A	N/A	MONITOR	David Streeter david@wma.org
2	Physician related services definitions - 246-103-020 - Adding the definition of Medication Assisted Treatment and creating an exception to payment methodology that permits enhanced reimbursement for medication assisted treatment visits to encourage treatment of opioid use disorder	Proposal Standardize	Not before April 30, 2019	Emergency: October 1, 2018	SUPPORT	Andrew Bucci andrew@wma.org
2	Behavioral health services and problem gambling - Health Care Authority - The Health Care Authority is considering adopting new chapter of rules regarding behavioral health services and new section under WAC 246-220-020 for problem gambling services. An emergency rule covering the same topics is currently in effect. This rulemaking is required to comply with the requirements in 2018-0088 which changed the designation of the State Behavioral Health Authority from the Department of Social and Health Services to the Health Care Authority effective July 1, 2018. The Health Care Authority filed emergency rules under WSR 18-10-027 to transfer the rules from DHS to HCA.	Pre-Proposal Standardize	N/A	June 30, 2018	MONITOR	Jaclyn Greenberg jaclyn@wma.org

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2	Potentially Preventable Readmissions Medicaid State Plan Amendment (SPA) 18-002B - The Health Care Authority (HCA) intends to submit Medicaid State Plan Amendment (SPA) 18-002B to correct an inadvertent error in SPA 18-002B (SPA 18-002B was approved on April 21, 2018). In SPA 18-002B, the Authority inadvertently included a requirement that all psychiatric inpatient admissions must be prior authorized. This information is being reviewed because it is policy-level information that should be obtained from relevant Washington Administrative Code and billing guides.	Public notice posted, July 16, 2018	N/A	July 1, 2018	SUPPORT	Andrew Burt aburtw@wcha.org
2	Exemptions for blood establishment registration - WAC 246-129-020 - Department of Health - Proposing to amend language to clarify which hospitals are exempt from registration requirements.	Proposed	October 1, 2018	N/A	MONITOR	Asia Stacey astacy@wcha.org
2	Deployment for Individual Providers (CPL 888-71 WAC) - The Department of Social and Health Services (DSHS), Aging and Long-Term Support Administration is adding a new deployment section for individual providers to chapter 888-71 WAC to define the circumstances in which an individual provider is subject to an overpayment, clarify the department's authority to collect an overpayment, clarify an individual provider's right to an administrative hearing when they receive an overpayment notice, and provide information about how an individual provider requests an administrative hearing related to an overpayment.	Proposed	No earlier than November 28, 2018	N/A	NEUTRAL	Andrew Burt aburtw@wcha.org
2	Fee structure for radiation machine facilities - The Department of Health is proposing a revision to the fee structure for registering selective radiation machine facilities, namely removing the flat fee structure, and making other housekeeping and technical corrections. With this change, all registrants will pay for their respective cost of the regulatory program. (206-221 WAC)	Proposed	intended Dec 11, 2018	N/A	NEUTRAL	Andrew Burt aburtw@wcha.org
2	Dental Managed Care Plans - PQHCs & Rural Health Services (SR 1805, Sec. 211(1)(c) - (2)(d) (WACs 182-168 and -169) - The Health Care Authority (HCA) is revising chapters 182-168 and 182-169 to reflect the changes being made to chapters 182-168 and 182-169A to comply with legislation in SR 1805, Sec. 211(1)(c) regarding dental managed care plans.	Proposed	Not before March 27, 2019	N/A	MONITOR	Andrew Burt aburtw@wcha.org
2	Pharmacist to Pharmacy Technician Ratio [WAC 246-163-110] - The Department of Health (DOH), Pharmacy Quality Assurance Commission, is proposing policy changes to eliminate or reduce the current ratio requirements of 1-pharmacist to 3-pharmacy technicians.	Amending language, pending proposal Proposed	April 26, 2018	N/A	SUPPORT	Laura McDonald lauram@wcha.org
2	Safe Medication Return Program - The Department of Health (DOH) is creating rules as required by state law to establish a system of regulation for the safe and secure collection and disposal of unwanted medicines through a uniform drug "take-back" program. SR# 1007 establishes a comprehensive drug take-back program that will be fully financed by the pharmaceutical industry. Rules are necessary to establish a framework for administration, oversight, and enforcement of these drug take-back programs. SR# 1007 - (2018)	Proposed Rule as drafted	Not before May 22, 2019	N/A	SUPPORT WITH CONCERN	Laura McDonald lauram@wcha.org

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2	Hospital Construction Review - The Department of Health (DOH) is considering amending/licensing regulations to align with the 2022 Federal and national construction standards, namely the Facility Guidelines Institute (FGI)'s Guidelines for Design and Construction of Hospitals and Guidelines for Design and Construction of Outpatient Facilities. According to the Pre-Proposal, adopting current standards would allow facilities to take advantage of newer construction methods. This change would also provide the opportunity to be consistent with widely-recognized standards that are vital to the health and safety of hospital patients and staff. A request detailing draft proposals in response to the initial draft of revisions to the WAC was recently released. (WAC 246-120-002 thru 007).	See Proposal Request for Draft Proposals (10.11.24)	Extended Spring 2025	N/A	MONITOR	Jaclyn Greenberg jaclyn@wbsa.org
2	Department of Social and Health Services - Aging and Long-Term Supports. The department is preparing amending sections of and adding new sections to Chapter 809-70 of the Washington Administrative Code (WAC), relating to Aging and Long-Term Supports. The department is preparing to create new WAC sections in chapter 809-70 WAC "Adult Family Home Minimum Licensing Requirements" as requirements for notifying the department of information changes and creating a succession plan. It also amending several other WACs.	Proposal	Not before July 30, 2025	N/A	SUPPORT	Jessica Stokley jessica@wbsa.org
2	LBI RULE - chapter 296-27 WAC, Recording and reporting. Once the new rule is effective, it will require certain employers (depending on size and industry type) to annually submit electronic injury and illness records to OSHA that they are already required to keep under the recordkeeping regulations. To ensure the completeness and accuracy of injury and illness data collected by employers and reported to OSHA, when the rule is effective it will also: • Require employers to establish reasonable procedures for employees to report occupational injuries and illnesses. • Require employers to inform employees of their right to report work-related injuries and illnesses free from retaliation; • Incorporate the existing statutory prohibition on retaliating against employees for reporting work-related injuries or illnesses	Draft language Proposal Public comment info	August 20, 2025	N/A	NEUTRAL	SK Outwater skout@wbsa.org
2	WAC 246-809 and WAC 246-812 Probationary Social Work Licenses - DOH is considering adding new sections to these chapters to implement the requirements of Senate Bill 5267 regarding probationary licensure and a reciprocity program between Washington and other US states and territories for the following mental health licenses: Substance Use Disorder Professional, Mental Health Counselor, Marriage and Family Therapist, Advanced Social Worker, and Independent Clinical Social Worker.	See Proposal	August 21, 2025	N/A	SUPPORT	Laurin McDonald laurin@wbsa.org
2	WAC 183-005-0000 Verification of eligibility (adults), New WAC 183-005-0000 Adult Verification System, WAC 183-005-0000 Washington Apple Health - Application details and withdrawal, other related rules as appropriate. As required by 62 U.S.C. 11156, the agency is creating a new WAC to create an adult verification program to determine or redetermine the eligibility of an individual for Apple Health.	Final Order	Not before August 25, 2025	N/A	MONITOR	Shirley Picaud shirley@wbsa.org

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2	Reimbursement of Health Care Services from a Community Assistance Referral and Education Services Program 22MR1158 - (2027) [WACs 182-148-020, -021, -022, -023, -024, -025] - The Health Care Authority (HCA) is initiating rule-making necessary to implement 22MR1158 which directs the Agency to adapt standards for the reimbursement of health care services provided to eligible clients by fire departments pursuant to a community assistance referral and education services program under RCW 65.21.060. The standards must allow payment for covered health care services provided to individuals whose medical needs do not require ambulance transport to an emergency department.	Proposed	Not before August 28, 2019	N/A	CONCERN	Laura McDonald laura@wbsa.org
2	WAC 182-025-0200 Verification of eligibility factors, New WAC 182-025-0205 Asset Verification System, WAC 182-025-0210 Washington Apple Health – Application details and withdrawal, other related rules as appropriate. As required by 42 U.S.C. 1396a, the Agency is creating a new WAC to create an asset verification program to determine or redetermine the eligibility of an individual for Apple Health.	Final Order	Not before August 28, 2019	N/A	MONITOR	Stacey Piskad stacey@wbsa.org
2	WAC 206-805, WAC 206-810, and WAC 206-811 Behavioral Health Professional Licensure - DCM is considering amending and adding new sections to existing behavioral health professional rules to implement licensure requirements addressed in 20MR 1798 and 20MR 2007. The department is also considering adopting a new chapter of rules to establish licensure requirements for a substance use disorder specialist enhancement to certain behavioral health professions as required by statute. The following behavioral health professions may be affected: substance use disorder professionals, certain agency affiliated counselors, mental health counselors, advanced social workers, independent clinical social workers, marriage and family therapists, and psychologists.	Pre-Proposed	begin October 26, 2019	N/A	MONITOR	Laura McDonald laura@wbsa.org
2	WAC 182-180-0200 Drug use and claims review - The agency is revising this rule to comply with the requirements of section 3001 of the Support for Patients and Communities Act under 42 U.S.C. 1396a(a) by more accurately detailing the drug use review (DUR) activities to include review prior authorization requirements adding subsection (1)(a)(iv) and (2)(i) and include the activities of prescriber practitioners in addition to dispensing pharmacies or subsection (2) and (2)(k). The agency is also revising subsection (2)(b) to update language in accordance with the Support Act including prescribing listing practices that indicate abuse or excessive utilization.	Proposed	February 3, 2020	N/A	NEUTRAL	Andrew Buzi andrew@wbsa.org

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2	WAC 206-102 Subchapter Abuse License: The Examining Board of Psychology is considering adding new sections to the chapter to implement the requirements of Senate Bill 1026 regarding probationary licensure and a reciprocity program between Washington and other US states ... The board will also consider amending WAC 206-102-043, 206-102-050, and 206-102-080 to address the reduction of supervised-experience requirements for certain applicants already licensed as a substance use disorder specialist under chapter 18.205 RCW as required by legislative substitute House Bill 1768. The board will consult with the Department of Health to determine training standards for a cooccurring disorder specialist endorsement as required by SBH 1768. The board is also considering clarifying terms and conditions in WAC 206-102-020, 206-102-025, 206-102-030, and 206-102-040 regarding telemedicine, and licensure requirements for practicum, exams, and temporary permits.	Pre-Proposal	August 27, 2020	N/A	SUPPORT	Laura McDonald laura@m.wa.gov
2	Health Care Authority- 182-100-7000 Drugs purchased under the Public Health Service (PHS) Act: The agency is reviewing this section to clarify that as part of participation in the 1026 program, providers must agree that all claims for Washington Apple Health clients in fee-for-service and managed care are subject to 1026 rules.	Proposal	N/A	N/A	NEUTRAL	Andrew Buzo andrew@wa.gov
2	Amending WAC 182-100-5086, WAC 182-100-1100, and WAC 182-100-1100 to reflect policy changes in dental group/claims and hospital charges for dental services: In amending these rules to align with recent policy changes regarding dental prescriptions and hospital charges for dental services for clients enrolled in an agency-contracted managed care organization (MCO), beginning in January 2021, these changes will be the responsibility of the client's MCO.	Pre-Proposal	N/A	N/A	MONITOR	Andrew Buzo andrew@wa.gov
2	Department of Health (DOH) - Chapter 206-08 WAC, Practice and Procedure: DOH has opened this chapter to review its rule regarding adjudicative proceedings for declaratory orders, public record requests, agency orders, and general agency administrative processes. The department is reviewing existing rules within the chapter to identify amendments that may be necessary as a result of changes in statute, changes in internal operations, opportunities to streamline processes to reduce regulatory burden without compromising public health and safety, and to provide clear, concise and reasonable rules. This rulemaking includes: WAC 206-08-090 Acquisition, security, disclosure and destruction of health information, and WAC 206-08-400 How much can a health care provider charge for searching and digitizing health care records.	Pre-Proposal	N/A	N/A	MONITOR	Jacklyn Greenberg jacklyn@wa.gov
2	Health Care Authority- 182-100-7000 Drugs purchased under the Public Health Service (PHS) Act: The agency is reviewing this section to clarify that as part of participation in the 1026 program, providers must agree that all claims for Washington Apple Health clients in fee-for-service and managed care are subject to 1026 rules.	Pre-Proposal	N/A	N/A	MONITOR	Andrew Buzo andrew@wa.gov
2	Health Care Authority- CHIP Eligibility - WAC 182-100-0215 - During the 2017 legislative session, the Washington State legislature passed Ingraham House Bill (HB) 1242 which created the School Employees' Benefits Board (SEBB) health insurance benefit beginning January 1, 2020. The availability of this benefit, beginning January 1, 2021, means these children no longer meet the definition of targeted low income children under RCW 187-112, and will not be eligible for the Children's Health Insurance Program (CHIP), aka known as Washington Apple Health with Premium Program.	Pre-Proposal	N/A	N/A	MONITOR	Andrew Buzo andrew@wa.gov
2	Department of Health - CQIP for use hospital health care entities - Chapter 206-50 WAC, Coordinated-quality improvement program (CQIP): The Department of Health will review the CQIP chapter and will consider updating the rules for clarification, streamlining, modernization, and other necessary updates for compliance with state statute.	Pre-Proposal	N/A	N/A	SUPPORT WITH CONCERNS	Jacklyn Greenberg jacklyn@wa.gov

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2	DCM - Washington Medical Commission - WAC 240-010-030 Physicians/WAC 240-010-030 Physician Assistants - The commission is considering creating two new rule sections, and revising related rule sections as appropriate, to establish a clinical support program, its criteria and procedures for allopathic physicians and physician assistants. The intent of the program is to assist practitioners with practice deficiencies related to consistent standards of practice and establish continuing competency mechanisms that will protect patients proactively through a plan of education, training and/or supervision. The commission may resolve practice deficiencies through the program at any point in a practitioner's period of licensure.	Pre-Proposal	N/A	N/A	MONITOR	Lauren McDonald laurenm@wbsa.org
2	Department of Health - Notifiable Conditions (Ch. 380-020 WAC) - The Department of Health (DOH) and the State Board of Health (SBOH) will consider adding notification and specimen submission requirements for "new conditions" and conditions currently identified as "other rare diseases of public health significance"; changing notification and specimen submission requirements for existing conditions; clarifying notification requirements for suspected cases; requiring electronic lab notification; revising reporting requirements for veterinarians and the Washington state department of agriculture; updating statutory references in the rules; updating references to the 2009 Security and Confidentiality Guidelines developed by the Centers for Disease Control and Prevention to the most recent publication; harmonizing definitions between WAC 380-020-010 and chapter 380-020 WAC; and improving clarity and usability. See Pre-Proposal for the list of conditions under consideration.	Pre-Proposal Draft rule Rulemaking page	N/A	N/A	MONITOR	Lauren McDonald laurenm@wbsa.org
2	WAC 290-20-110 Conversion Factors, WAC 290-20-220 Physical Therapy Rules, and WAC 290-20-230 Occupational Therapy Rules. Medical Aid Rules updates regarding 180- rating for most professional health care services for injured workers. These updates may also impact rates for health-care services provided to state veterans.	Pre-Proposal	N/A	N/A	MONITOR	Andrew Burg andrewb@wbsa.org
2	Licensure for Mental Health Counselors, Marriage and Family Therapists, and Social Workers (Ch. 240-800 WAC) - The Department of Health (DOH) is considering developing new and revised requirements related to supervision of associates and the approved supervisor requirements in order to better prepare associates for independent licensure. In addition, the department is considering amending the recertification, education, and continuing education requirements to strengthen the requirements and align them with current trends in practice. The department will also consider making clarifications and technical changes to other licensing standards, as needed.	Pre-Proposal	N/A	N/A	MONITOR	Ian Carls-ridge ianc@wbsa.org
2	Rapid Health Information Network (RHIN) Emergency Department Patient Case Information 100 1024 - (2017) (Title 240 WAC) - The Department of Health (DOH) is considering creating new rules to implement chapter 202, laws of 2017 (SR 10131). Emergency department patient case information—Department of health collection—Confidentiality, by establishing reporting and data release requirements for emergency department data collection. This data collection and release process is called syndromic surveillance. As required by SR 10131, the department will consider current and emerging national standards when developing proposed rules.	Pre-Proposal	N/A	N/A	SUPPORT	Shirley POGAL shirleyp@wbsa.org

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2	Prescription Drug Utilization Management, CIC: The Legislature passed HB 1875 during the 2019 session. It requires health carriers and prescription drug utilization management companies, which restrict prescription drug coverage through utilization management protocols, to provide the patient and prescribing practitioner access to a clear, readily accessible and timely-escalation process. It also requires utilization management protocols to be evidence based and create requirements and timelines for step therapy exception requests. The Office of the Insurance Commissioner will develop rules to establish how the notice to participating providers would be given the standard process requirements and external review options.	Pre-Proposal	N/A	N/A	SUPPORT	Andrew Buco andrew@wbsa.org
2	Chapter 280-026 WAC Radiological technologists: The Department of Health is considering opening rules to clarify, streamline, and modernize the regulations for cardiovascular invasive specialists, radiologic technologists, radiologic assistants, and X-ray technicians. This may include repealing or adding new sections of rules, clarifying competency requirements and identifying authorized duties.	Pre-Proposal	N/A	N/A	MONITOR	Laura McDonald laura@wbsa.org
2	Network Access and Notice Requirements, CIC: Amend existing rules and add new sections to align with Chapter 11, Laws of 2019 (HB 2096), requiring additional network access standards, in addition to new notices and information being provided about networks and access.	Pre-Proposal	N/A	N/A	SUPPORT	Andrew Buco andrew@wbsa.org
2	Office of the Insurance Commissioner - implementation of SBH 2879 - Federal Patient Protection and Affordable Care Act - State Law - SBH 2879 (Chapter 36, Laws of 2010) modifies several provisions of the Affordable Care Act into state law. Some provisions of SBH 2879 authorize CIC to engage in rulemaking necessary to implement the provisions of the legislation. Existing rules may need to be amended to be consistent with SBH 2879, and new rules may be required. Such rules will facilitate implementation of the law by ensuring that all affected entities understand their rights and obligations under the new law.	Published	N/A	N/A	MONITOR	Shirley Picaud shirley@wbsa.org
2	Department of Health - DCH is considering creating new rules to implement chapter 230, Laws of 2017 (SB 1516), emergency department patient care information - Department of health collection - Confidentiality, by establishing reporting and data release requirements for emergency department data collection.	Pre-Proposal Subject to rulemaking Working	N/A	N/A	MONITOR/ SUPPORT	Shirley Picaud shirley@wbsa.org
1	Associated Health Plans: The federal association health plan rule allows new "Pathway 2" association health plans to file forms and rates with the Office of the Insurance Commissioner beginning September 1, 2018. There are no current state rate or form rules related to "Pathway 2" AHP filings. An emergency rule is needed to establish requirements for a rate and form filing that is unique to this new type of association health plan. This emergency rulemaking will ensure that regulations are in place in order to respond to and review "Pathway 2" association health plans filed with the Office of the Insurance Commissioner for sale in Washington state.	Emergency Rule	N/A	December 31, 2018	NEUTRAL	Shirley Picaud shirley@wbsa.org
1	Federal Medicare Savings Program (WAC 182-017-0100): The Health-Care Authority (HCA) is amending these rules to create a second eligibility methodology based on household size for the qualified Medicare beneficiary program.	Published	N/A	Not sooner than March 31, 2019	MONITOR	Shirley Picaud shirley@wbsa.org

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1	Department of Health - WAC 308-087-330 Adding tertiary derivatives not approved by the Food and Drug Administration (FDA), synthetic cannabinoids, synthetic cathinones, and synthetic opioids to Schedule I. The Pharmacy Quality Assurance Commission (commission) is adapting a new section of rule to add tertiary derivatives not approved by the FDA, synthetic cannabinoids, synthetic cathinones, and synthetic opioids to schedule I under the Uniform Controlled Substance Act (UCSA) making it illegal to sell, possess, manufacture, or deliver chemicals or products containing these substances. This filing replaces and supersedes the emergency rule filed as WSR 19-19-088 (effective 7/1/2019), which expired on 11/29/2018. The requirements of this rule emergency rule are the same as the requirements found in previous emergency rule.	Proposed	N/A	January 7, 2019	MONITOR	Lauren McDonald lauren@wbsa.org
1	Repeal of WAC 246-903-340, DCH Repealing the rule that establishes the process to seek an exemption to the standard pharmacist to pharmacy technician ratio by developing and presenting a pharmacy services plan for approval by the Pharmacy Quality Assurance Commission. The Pharmacy Quality Assurance Commission (commission) is proposing to repeal the rule because the circumstances have changed and the rule is no longer needed. The rule is no longer necessary due to the adoption of rule amendments to WAC 246-903-030 (Pharmacist to Pharmacy Technician Ratio) filed under WSR 19-17-034 on August 14, 2019.	Repealed Proposed	N/A	January 21, 2020	NEUTRAL	David Streeter david@wbsa.org
1	Establishing pediatric transitional care facilities - The Department of Health proposes to amend and add new sections to existing rules to establish licensure, construction requirements, and operational standards for pediatric transitional care facilities as directed by Substitute Senate Bill 5112 (chapter 168, laws of 2017). Pediatric transitional care facilities are an alternative to continued hospitalization, and support the infant and family's transition to care at home. According to the DCH, these rules are needed to set enforceable licensing, construction, staffing and operational requirements, and to establish the regulatory structure and specialized requirements for PTCF facilities to be licensed as an RFP.	Proposed	intended: December 1, 2018	N/A	SUPPORT	Jaclyn Greenberg jaclyn@wbsa.org
1	Radiation Practitioner - Radiation Machine Assembly, 9-cy facility (Ch. 246-224 and 246-242) - The Department of Health (DCH) is considering revising the fee structure for the registration of all 9-cy calibration machines, which includes a facility base fee and a fee per tube and clarifying the definition of an "9-cy facility."	Proposed	intended: Dec 11, 2018	N/A	NEUTRAL	Lauren McDonald lauren@wbsa.org
1	Medicare Supplement Coverage Application Requirements (WAC 382-33-002) - The Health Care Authority (HCA) will consider amendments to rules related to Medicare supplement coverage application requirements for residents in WAC 382-33-002.	Proposed	Not before December 11, 2018	N/A	NEUTRAL	Andrew Burd andrew@wbsa.org

Priority	NAME OF RULE, AGENCY & DESCRIPTION	STATUS	ADDITION DATE	EFFECTIVE DATE	WISA PORTION	WISA CONTACT
1	Department of Health - Nursing Care Quality Assurance Commission- WAC 200-800-020 Initial licensure for registered nurses. Regarding nurses who complete out-of-state nontraditional nursing education (Repeat). WAC 200-800-020 Students enrolled in a nontraditional nursing program (New). The Commission repeats WAC 200-800-020 because the legislature repealed the authorizing statute. The commission also drafted a new section of rules addressing the needs of students affected by the repeal of RCW 18.76.060. Anticipated to be the last, this fifth emergency rule-making, with the exact same rule language, replaces the fourth emergency rule filed on 11/06/2020 as WSR 20-22-124 that expires on 02/01/2021. Permanent rule-making is nearing completion with a CR-022 filed on 02/23/2021 as WSR 20-06-026, a CR-022 filed on 02/23/2021 as WSR 20-20-026 with a public hearing on 1/21/2021, and a CR-026 progressing towards intended filing by early spring 2021.	Proposed	March 9, 2020	N/A	MONITOR	Laurie McDonald laurie@wisa.org
1	Washington State Board of Health - Prenatal Tests - Chapter 200-480 WAC Congenital and Heritable Diseases. This rule outlines prenatal screening and diagnostic tests that are considered to be medically necessary and are required to be included in benefits packages provided by insurers, health care service contractors, and health maintenance organizations.	Pre-Proposal Proposal	August 14, 2020	N/A	SUPPORT	Laurie McDonald laurie@wisa.org
1	Newborn Screening - The Department of Health - Chapter 200-800 WAC, Newborn Screening. The Washington State Board of Health (Board) is proposing to amend the newborn screening (NBS) rules to add Pompe disease and Mucopolysaccharidosis Type 1 (MPS1) to the list of mandatory conditions for newborn screening conducted by the Department of Health, create a new section outlining critical congenital heart disease screening requirements to align with RCW 70.81.020 and to improve clarity and stability of the rule.	Proposal	August 14, 2020	N/A	SUPPORT	Laurie McDonald laurie@wisa.org
1	Service-Contract Providers and generator product guarantee providers. Solvency and filings requirement- The proposed rules will consider clarifying solvency and financial requirements of service contract providers and protection product guarantee providers, forms of a parental guarantee, the filings these entities submit to the Commissioner, and the direction of outdated statutory citations.	Proposal	November 26, 2020	N/A	NEUTRAL	Andrew Wu andrew@wisa.org
1	Office of the Insurance Commissioner - Confidential communications. With the passing of SB 5009, the Commissioner is considering rule-making to update Chapter 200 WACs to align with the new law. At the time the Commissioner is considering amending the following WACs: WAC 200-49-2000(6)(c)(i) and (i)(i) to address if a protected individual completes the nondisclosure form; WAC 200-49-2000(12), (13) and (20) to address if a protected individual completes the nondisclosure form; WAC 200-49-8070(1) Notice is mailed to enrollee certain also needs to be addressed; WAC 200-49-6500 Notice is mailed to the enrollee (1)(i) and (3)(i) so this needs to be addressed; WAC 200-49-7200 how to consider the access to the protected individual's nondisclosure form in (2) and the substitution in (3) when a protected individual completes the nondisclosure form; WAC 200-09-520 may need to update this WAC with new law; WAC 200-270-020(1) amend to address when a protected individual completes the nondisclosure form	Proposal	January 28, 2021	N/A	NEUTRAL	Jaclyn Greenberg jacjg@wisa.org
1	Office of the Insurance Commissioner - Adverse Notifications. intended to increase consumer awareness of available agency assistance and to help consumers with their insurance questions by requiring contact information for the Office of the Insurance Commissioner on adverse notifications.	Proposal Proposed rule Underfile	N/A	N/A	MONITOR	Shirley Prokac shirley@wisa.org

Priority	NAME OF RULE, AGENCY & DESCRIPTION	STATUS	ADDITION DATE	EFFECTIVE DATE	WBSA PORTION	WBSA CONTACT
1	Washington medical commission - amending the chapter and modernizing rules. Several sections within chapter 280-020 WAC have not been updated since 1996. Since then, several changes have occurred that may require rule revisions. The commission is considering updating rules to more closely align with current industry standards and provide clearer rules language for licensed allopathic physicians.	Pse-Proposed rule work/this subject	N/A	N/A	MONITOR	Lauren McDonald lauren@wcha.org
1	Health Care Authority - Waiver and Intensive Services (WISIS) - The Health Care Authority (HCA) is considering adopting rules in Chapter 280-020 WAC regarding Waiver and Intensive Services (WISIS), requiring the use of the WISIS Quality Plan, and other related rules as appropriate.	Pse-Proposed	N/A	N/A	MONITOR	Jacklyn Greenberg jacklyn@wcha.org
1	Office of the Insurance Commissioner - Confidential communications - With the passing of SB 5009, the Commissioner is considering rule making to update Chapter 280 WACs to align with the new law. At this time the Commissioner is considering amending the following WACs: WAC 280-03-2000(2)(c) and (d) to address if a protected individual completes the nondisclosure form; WAC 280-03-2000(1), (1) and (2) to address if a protected individual completes the nondisclosure form; WAC 280-03-0070(1) Notice is mailed to a licensee or this also needs to be addressed; WAC 280-03-0080 Notice is mailed to the licensee (1) and (4) so this needs to be addressed; WAC 280-03-7200 needs to consider the access to the protected individual's nondisclosure form to (1) and the notification in (3) when a protected individual completes the nondisclosure form; WAC 280-03-1200 may need to update this WAC with new law; WAC 280-170-021(7) amend to address when a protected individual completes the nondisclosure form.	Pse-proposed/for consideration/revision/notice (Stakeholder meeting scheduled July 28, 2020)	N/A	N/A	NEUTRAL	Jacklyn Greenberg jacklyn@wcha.org
1	Health Care Authority- 280-540-0100 General; 280-560-2000 Eligible providers and provider requirements; 280-560-5100 Medical equipment for clients in skilled nursing facilities; other related rules as appropriate. - The agency is amending these sections to clarify the requirements for qualified health care providers.	Pse-Proposed	N/A	N/A	MONITOR	Andrew Bucci andrew@wcha.org
1	Health Care Authority- 280-020-180- Regulatory care reimbursement—General; 280-020-1800, Regulatory care equipment and supplies— Reimbursement— Methodology for purchase, rental, and repair; other related rules as appropriate. The Agency is amending these rules to align with section 502 of the Consolidated Appropriations Act, 2020 and section 5022 of the 21st Century Cures Act of 2021, which added section 2803((1)) to the Social Security Act.	Final Order	N/A	N/A	MONITOR	Andrew Bucci andrew@wcha.org
1	DOH - Washington Medical Commission - Several sections within chapter 280-020 WAC have not been updated since 1996. Since then, several changes have occurred that may require rule revisions. The commission is considering updating rules to more closely align with current industry standards and provide clearer rules language for licensed allopathic physicians.	Pse-Proposed	N/A	N/A	MONITOR	Lauren McDonald lauren@wcha.org

Priority	NAME OF RULE, AGENCY & DESCRIPTION	STATUS	ADDITION DATE	EFFECTIVE DATE	WBSA PORTION	WBSA CONTACT
1	Health Care Authority - The agency is revising WAC 246-810-100, Statute changes , to reflect coverage changes made by the Health Technology Clinical Committee.	PENDING	N/A	N/A	MONITOR	Laurie McDonald laurem@wbsa.org
1	Department of Health - WAC 246-840-111, 246-840-120, 246-840-123, and 246-840-200 through 246-840-240 The Nursing Care Quality Assurance Commission is considering amendments to the continuing competency rules and requirements for active, inactive, expired, and retroactive credential status.	PENDING	N/A	N/A	MONITOR	Laurie McDonald laurem@wbsa.org
1	Department of Health - WAC 246-840-300 ANP scope of practice and WAC 246-840-700 through WAC 246-840-730 pertaining to nursing practice standards, and other related sections in chapter 246-840 WAC. The Nursing Care Quality Assurance Commission (commission) is considering amending sections of the scope of practice and practice standard rules to improve clarity.	PENDING	N/A	N/A	MONITOR	Laurie McDonald laurem@wbsa.org
1	Department of Health - Chapter 246-830 WAC - Osteopathic physician assistants. The Board of Osteopathic Medicine and Surgery (Board) is considering establishing two new sections of rule to: 1) describe the process for issuing an expedited temporary practice permit to an osteopathic physician assistant (PA) applicant who is a spouse or registered domestic partner of a military service member, and 2) establish return to practice requirements for an osteopathic PA who has not been in practice for a certain period of time.	PENDING	N/A	N/A	MONITOR	Laurie McDonald laurem@wbsa.org
1	Nursing scope of practice standards - WAC 246-840-300 ANP scope of practice and WAC 246-840-700 through 246-840-730 pertaining to nursing practice standards, and other related sections in chapter 246-840 WAC, the nursing care quality assurance commission (commission) is considering amending sections of the scope of practice and practice standard rules to improve clarity.	PENDING	N/A	N/A	MONITOR	Laurie McDonald laurem@wbsa.org
1	Learning requirements for certified counselors or advisers - The Department of Health received a rule petition asking the department to consider accepting education that may have been received outside of the bachelor's degree program as also meeting minimum education requirements for social workers as a certified counselor or adviser. The department has agreed to open a public discussion of this topic by filing this notice. (WAC 246-830-020)	PENDING	N/A	N/A	MONITOR	Ian Carlbridge ianc@wbsa.org
1	Reproductive Health Services (WRx) 246-840-001 to -040 - The Health Care Authority (HCA) is modifying various reproductive health sections to meet clinical standards and align with current eligibility and provider enrollment policies.	PENDING	N/A	N/A	MONITOR	Laurie McDonald laurem@wbsa.org
1	Housing and Essential Needs Program (HNEP) 246-840-010 (H. 389-020 WAC) - The Department of Social and Health Services (DSHS), Economic Services Administration, is proposing amendments which are necessary to comply with change mandated by HB 2607 (2023 legislative session). These amendments expand eligibility criteria for a referral to the Housing and Essential Needs (HNE) program and clarify the eligibility process to support this change.	PENDING	N/A	N/A	MONITOR	Ian Carlbridge ianc@wbsa.org

Priority	NAME OF RULE, AGENCY & DESCRIPTION	STATUS	ADDITION DATE	EFFECTIVE DATE	WISIA PORTION	WISIA CONTACT
1	Prior Authorization Consent Forms ("Written Acknowledgement") (WAC 382-320) - The Health Care Authority (HCA) is amending this WAC to remove the reference to consent forms and replace with "written acknowledgement." This amendment will align WAC 382-313-020 with 42 CFR 662.200(s), WAC 382-103-020, RCW 7.70.030, and RCW 7.70.065. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.	Pre-Proposal	N/A	N/A	NEUTRAL	Jaclyn Greenberg jaclyng@wcha.org
1	Palliative Service for Adults - The Health Care Authority (HCA) is amending these rules to add palliative services for adults. During the course of this review, the agency may identify additional changes that are required in order to improve clarity of update policy. (Ch. 382-103 WAC)	Pre-Proposal	N/A	N/A	MONITOR	Jocia Stanley jocias@wcha.org
1	Guardianship fees and related costs for long-term care for Medicaid patients - WAC 382-79a-020 - The Department of Social and Health Services, Aging and Long-Term Support Administration is intending to revise this WAC to clarify that there are only 2 classes of clients with guardians, and not a third class of clients with guardians. There is a reading of the current WAC that would create this third class of people with guardians who would have no enumerated limits on fees or costs under the WAC.	Pre-Proposal	N/A	N/A	MONITOR	Jocia Stanley jocias@wcha.org
1	Dental Hygiene (Ch. 288-827-000) - The Dental Quality Assurance Commission (commission) is proposing rule amendments add identified tasks from WAC 288-827-020 acts that may be performed by dental assistants under close supervision to the list of allowable tasks that a dentist can delegate to dental hygienists under general supervision. This supplemental proposal removes orthodontic tasks.	Proposal	N/A	N/A	NEUTRAL	Laura McDonald laura@wcha.org
1	Health Care Authority - WAC 382-310-0200 Definitions related to long-term services and supports (LTSS), other related rules as appropriate. The Agency is revising the definition of alternate living facility (ALF) to include staffed residential facility, group care facility for medically complex children, and children's state-sanctioned living alternative.	Proposal	N/A	N/A	MONITOR	Jocia Stanley jocias@wcha.org
1	Health Care Authority - WAC 382-310-1000 - The agency is revising this rule to clarify excluded income requirements for Long-Term Care Services by removing the reference in subsection (2)(g) to child support received from a noncustodial parent. During the course of this review, the agency may identify additional changes that are required in order to improve clarity or update policy.	Pre-Proposal	N/A	N/A	MONITOR	Andrew Buzi andrew@wcha.org
1	Health Care Authority - WAC 382-302-0220 Advance directives - The agency is amending this rule to update and replace references to health maintenance organizations (HMOs) with current terminology.	Pre-Proposal	N/A	N/A	MONITOR	Jocia Stanley jocias@wcha.org
1	HCA Income Tax Exemptions Update to WAC 382-900 - HCA is amending these WACs to align income exemptions with the Internal Revenue Code and to make other updates.	Pre-Proposal	N/A	N/A	MONITOR	Andrew Buzi andrew@wcha.org
1	HCA Rules for Hospital Safety Net Program - Intends to establish rules for the Hospital Safety Net Assessment Program.	Pre-Proposal	N/A	N/A	MONITOR	Andrew Buzi andrew@wcha.org

Priority	NAME OF RULE, AGENCY & DESCRIPTION	STATUS	ADDITION DATE	EFFECTIVE DATE	WISPA POSITION	WISPA CONTACT
1	<p>Allowing Master's Level Therapists to Treat Injured Workers: L&I rules don't currently allow master's level therapists (MTs) to treat injured workers. Stakeholders requested L&I change the rules and allow these providers to treat workers for accepted conditions within the providers' scope of practice. L&I decided to initiate a pilot to help determine how MTs can best be incorporated into the workers' compensation setting. Under this pilot these current provisions related to treatment by MTs are waived for pilot participants only. The pilot will begin on January 1, 2020 and the exceptions granted are effective throughout a four-year pilot period or as otherwise specified. Labor & Industries may pay qualified providers participating in the project to deliver appropriate behavioral and mental health interventions to workers with an open workers' compensation claim. Pilot program results, including billing patterns, submission of required documentation, and referrals for further services will be considered in developing final rule language, medical coverage decisions, and/or payment policy. L&I has determined this waiver is in the public interest and necessary to conduct this pilot project.</p>	<p>See Financial</p>	N/A	N/A	SUPPORT	David Steiner david@wispa.org
1	<p>HCA WAC 382-048 Non-emergency Transport: Revises (1) Revising the definition of "extended stay" to mean a period of time spanning 30 consecutive days, revising the definition of "short stay" to mean a period of time spanning 29 days, and adding a definition for service animal; (2) Revising section 3102 (exclusion and limitations) to include substance use disorder; (3) Revising where non-emergency transportation is not provided; (4) Clarifying that non-emergency transportation for clients in the Program of All-Inclusive Care for the Elderly (PACE) program is the responsibility of the PACE contractor and is not provided through brokers; (5) Adding a requirement that brokers may not authorize payment for alcohol, cannabis, or other nonfood items; (6) Clarifying that for short stays, the cost of meals may not exceed the date per item rate; (7) Revising the requirement that receipts for mileage, fuel, parking, bridge tolls, or ferry fees must be itemized.</p>	<p>See Financial</p>	N/A	N/A	MONITOR	Andrew Buzi andrew@wispa.org