



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Department of Labor and Industries

Subject of possible rule making:

WAC 296-20-010 General Information. Eliminate the reference to a "grace period" for end dated HCPCS and CPT[®] codes. Change the definition of State Fund claims.

Statutes authorizing the agency to adopt rules on this subject:

RCW 51.04.020 and RCW 51.04.030

Reasons why rules on this subject may be needed and what they might accomplish:

The department has made a commitment to follow the rules published in accordance with the federal Health Insurance Portability and Accountability Act (HIPAA). Under HIPAA, procedure codes that are end dated may not be used after the end date. Therefore, there can be no "grace period" for these codes. Removing the "grace period" language from the rule will allow the department to follow the HIPAA rule. Changing the definition of the State Fund claim will accurately describe the format of the claim numbers.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

Centers for Medicare and Medicaid Services (CMS) Electronic Health Care Transactions and Code Sets. Grace period was eliminated on July 6, 2004.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

The department has notified providers that the grace period for deleted codes will only be one day for 2005 and we will bring the proposed changes to our Reimbursement Technical Advisory Group for review. The proposed changes will also be publicized in a communication to interested persons.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Contact:

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DATE
December 21, 2004

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