



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Health

- Preproposal Statement of Inquiry was filed as WSR 07-17-172 ; or
- Expedited Rule Making--Proposed notice was filed as WSR \_ ; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

Title of rule and other identifying information: (Describe Subject)  
WAC 246-560-010 – Definitions of Rural Health System Project

Hearing location(s): Town Center 1  
101 Israel Road SE  
Rm 163  
Tumwater, WA 98501

Date: 08/26/2008 Time: 10:00 AM

Date of intended adoption: 08/27/2008  
(Note: This is NOT the effective date)

**Submit written comments to:**

Name: John Hanson  
Address: PO Box 47834  
Olympia WA 98504-7834  
Website: <http://www3.doh.wa.gov/policyreview/>  
fax 360-664-9273 by (date) 08/05/2008

**Assistance for persons with disabilities:** Contact

Mary Roberts by 08/12/2008

TTY (800) 833-6388 or ( ) 711

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

We propose to change the definition of rural for purposes of determining Health Systems Resources (HSR) grant eligibility from a Metropolitan Statistical Area (MSA) basis to an Urbanized Area basis. Current rules require the use of census data from the State of Washington 1997 Data Book to define rural. This data is based on the 1990 census, now seventeen years old. When we looked at which counties are considered to be MSAs based on the 2000 census, we found that six counties that had been considered rural were no longer rural. Using an alternate definition, namely the Census Bureau Urbanized Area basis for defining rural, expands the areas in the state that would be considered rural and therefore eligible for HSR funding. This change could lead to improved access to health care services in areas that are at present ineligible for HSR funding.

**Reasons supporting proposal:**

The proposal would restore almost all of the territory eliminated from eligibility for Health Systems Resources grants by defining rural according to current federal criteria for Rural Health Clinics, which is anything outside of an Urbanized Area. Urbanized Areas are much smaller than entire counties.

**Statutory authority for adoption:**  
RCW 70.175.040-050 and RCW 70.185.040-050

**Statute being implemented:**  
RCW 70.175.040-050 and RCW 70.185.040-050

**Is rule necessary because of a:**

- Federal Law?  Yes  No
  - Federal Court Decision?  Yes  No
  - State Court Decision?  Yes  No
- If yes, CITATION:

DATE 07/01/08

NAME (type or print)  
Mary C. Selecky

SIGNATURE

TITLE  
Secretary of Health

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: July 01, 2008  
TIME: 12:24 PM

**WSR 08-14-138**

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

No changes needed.

**Name of proponent:** (person or organization) Department of Health

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... John Hanson	243 Israel Rd. SE, Tumwater, WA, 98501	360-236-2819
Implementation.....John Hanson	243 Israel Rd. SE, Tumwater, WA, 98501	360-236-2819
Enforcement.....Kris Sparks	243 Israel Rd. SE, Tumwater, WA, 98501	360-236-2800

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No. Explain why no statement was prepared.

A small business economic impact statement (SBEIS) was not prepared. Under RCW 19.85.025 and 34.05.310(4)(b), a SBEIS is not required for proposed rules that relate only to internal governmental operations and that are not subject to violation by a nongovernmental party.

**Is a cost-benefit analysis required under RCW 34.05.328?**

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

Name: John Hanson

Address: PO Box 47834

Olympia, WA 98504-7834

phone 360-236-2819

fax 360-664-9273

e-mail [john.hanson@doh.wa.gov](mailto:john.hanson@doh.wa.gov)

No: Please explain: The agency did not complete a cost benefit analysis under RCW 34.05.328. RCW 34.05.328(5)(b)(ii) exempts rules that relate only to internal governmental operations that are not subject to violation by a non-government party.

AMENDATORY SECTION (Amending WSR 99-03-043, filed 1/14/99, effective 2/14/99)

**WAC 246-560-010 Definitions.** For the purpose of this chapter the following words and phrases have the following meanings unless the context clearly indicates otherwise.

(1) "Applicant" means any interested party who has been invited to submit an application proposing a health systems resources project.

(2) "Application" means an invited proposal for a health systems resources project.

(3) "Basic health care services" means organized care modalities to prevent death, disability, and serious illness. The term includes, but is not limited to:

(a) Emergency services;

(b) Primary care physicians, physician assistants, nurse practitioners, and midwifery services;

(c) Short term inpatient care;

(d) Home health care;

(e) Community based care for chronic conditions;

(f) Dental care;

(g) Vision care;

(h) Hearing care;

(i) Hospice care;

(j) Mental health;

(k) Necessary support services; and

(l) Nutrition related services.

(4) "Catchment area" means the Washington state geographic area where people live who are to receive the basic health care services addressed by the project.

(5) "Community" means the resident individuals and organizations in a catchment area who may benefit from the basic health care services addressed by the project.

(6) "Community-based" means that the need is identified by a broad section of the community including providers, institutions in the area, and nonhealth care provider members of the community such as community members of health care boards, economic development council members, organized patient advocacy groups, and others who have an interest in the long-term viability of health care services in the catchment area.

(7) "Department" means the Washington state department of health.

(8) "Deliverable" means a document that results from project activities. The term includes, but is not limited to:

(a) A form;

(b) An agreement;

(c) A plan;

(d) Documentation of numbers served;

(e) A report; or

(f) Presentation material.

(9) "Health care delivery system" means services, personnel, and how they are organized and financed.

(10) "Interested party" means an eligible entity that has submitted a letter of interest for a health systems resources project.

(11) "Letter of interest" means a brief description of a project as described in WAC 246-560-040.

(12) "Letter of invitation" means a letter inviting an interested party who has submitted a letter of interest to submit an application.

(13) "Local project administrator" means an individual or organization representing the applicant and authorized to enter into legal agreements on behalf of the applicant.

(14) "Matching funds" means fifty percent of the total budget for recruitment and retention activities must be from a source other than this program. Matching funds may be in-kind contributions.

~~(15) ("Metropolitan statistical area" or "MSA" means an urban area defined and described by the United States Department of Census, Bureau of the Census, and printed in the *State of Washington 1997 Data Book*, Office of Financial Management, Olympia, Washington. The boundaries of all metropolitan statistical areas are county boundaries. The urban counties include:~~

~~(a) Benton;~~

~~(b) Clark;~~

~~(c) Franklin;~~

~~(d) Island;~~

~~(e) King;~~

~~(f) Kitsap;~~

~~(g) Pierce;~~

~~(h) Snohomish;~~

~~(i) Spokane;~~

~~(j) Thurston;~~

~~(k) Whatcom; and~~

~~(l) Yakima.~~

~~(16))~~ "Outcome" means the anticipated result or impact of the project activities.

~~((17))~~ (16) "Project" means a health systems resources project.

~~((18))~~ (17) "Rural" means a ~~((geographical area outside the boundaries of metropolitan statistical areas (MSA's) or an area within an MSA but more than thirty minutes average travel time from a city or town or contiguous cities or towns with a population of ten thousand or more))~~ nonurbanized area.

~~((19))~~ (18) "Successful applicant" means an applicant whose project has been selected for contracting.

~~((20))~~ (19) "Urban underserved" means an urbanized area ~~((within a MSA that is thirty minutes average travel time or less from a city or town or contiguous cities or towns with a population~~

~~of ten thousand or more,))~~ that has unmet health care needs.

(20) "Urbanized area" means an area defined and described as an urbanized or urban area by the United States Department of Census, Bureau of the Census.

(21) "Workplan" means a written document, usually in matrix form, that shows the detail of what is needed to complete a project. The activities, timeline, party responsible, budget, evaluation plan, and measurable outcome is shown for each deliverable.