WAC 182-503-0090 Washington apple health—Exceptions to rule. (1) A client or client's representative may request an exception to a Washington apple health financial eligibility rule in Title 182 WAC. The request for an exception to rule (ETR) may be submitted orally or in writing. The request must:

(a) Be received within 90 calendar days of the agency action with which the client disagrees or wants waived;

(b) Identify the rule for which an exception is being requested;

(c) State what the client is requesting; and

(d) Describe how the request meets subsection (2) of this section.

(2) The agency director or designee has the discretion to grant an ETR if they determine that the client's circumstances satisfy the conditions below:

(a) The exception would not contradict a specific provision of federal or state law; and

(b) The client's situation differs from the majority; and

(c) It is in the interest of the overall economy and the client's welfare, and:

(i) It increases opportunity for the client to function effectively; or

(ii) The client has an impairment or limitation that significantly interferes with the usual procedures required to determine eligibility and payment.

(3) A client does not have a right to an administrative hearing on ETR decisions under chapter 182-526 WAC.

(4) A client is mailed a decision in writing within 10 calendar days when agency staff:

(a) Approve or deny an ETR request; or

(b) Request more information.

(5) If the ETR is approved, the notice includes information on what is approved and for what time frame.

(6) The agency designates staff at the home and community living administration (HCLA) to process all ETRs specifically relating to long-term services and supports programs described in Title 182 WAC.

(7) This section does not apply to requests that the agency pay for noncovered medical or dental services or related equipment. WAC 182-501-0160 applies to such requests.

[Statutory Authority: RCW 41.05.021 and 41.05.160. WSR 25-22-083, s 182-503-0090, filed 11/4/25, effective 12/5/25; WSR 21-04-076, § 182-503-0090, filed 1/29/21, effective 3/1/21. Statutory Authority: RCW 41.05.021, Patient Protection and Affordable Care Act (Public Law 111-148), 42 C.F.R. §§ 431, 435, and 457, and 45 C.F.R. § 155. WSR 13-14-019, § 182-503-0090, filed 6/24/13, effective 7/25/13.]