Chapter 182-25 WAC
WASHINGTON BASIC HEALTH PLAN

WAC 182-25-120 Basic health plan coverage for health coverage tax credit eligible enrollees.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER


182-25-004 Enrollment in the plan. [Statutory Authority: RCW 70.47.050. WSR 07-25-109 (Order 07-07), § 182-25-040, filed 11/21/07, effective 11/21/07. WSR 06-11-158 (Order 05-06), § 182-25-040, filed 5/24/06, effective 7/1/06. Statutory Authority: RCW 70.47.050 and 2004 c 192. WSR 04-23-012 (Order 04-03), § 182-25-040, filed 11/5/04, effective 1/1/05. Statutory Authority: RCW 70.47.050, 70.47.060 and 70.47.100. WSR 04-05-049 (Order 04-05), § 182-25-040, filed 7/20/04, effective 8/9/04.] Repealed by WSR 10-24-062 (Order 10-03), filed 11/30/10, effective 12/31/10. Statutory Authority: RCW 70.47.050.


(11/30/10) [Ch. 182-25 WAC p. 1]
WAC 182-25-120 Basic health plan coverage for health coverage tax credit eligible enrollees. (1) "Health coverage tax credit eligible enrollee" or "HCTC enrollee" means an individual or qualified dependent determined by the federal Department of the Treasury to be eligible for a tax credit, as defined under RCW 70.47.020 (3) and (4). In the event that the federal health coverage tax credit program is no longer available, HCTC enrollment in BHP will end.

(2) Eligibility for HCTC enrollment, as subscriber or dependent, is determined by the federal Health Coverage Tax Credit program. HCTC enrollees must prove eligibility for HCTC enrollment, but are not required to also meet the eligibility criteria in WAC 182-23-020 or 182-24-020.

(3) Unless the enrollee has applied for, is eligible, and has enrolled as a BHP enrollee, the monthly premium due from or on behalf of an HCTC enrollee will be the full cost charged by the MHCS for coverage, plus the administrative cost of providing BHP coverage and the premium tax under RCW 48.14.020.

(4) HCTC enrollees may pay the full premium for coverage to BHP or, if they are claiming the HCTC advance tax credit, may pay their portion of the premium to the federal HCTC program of the Internal Revenue Service (IRS) by the date required by the IRS.

(5) With the exception of subsections (3) and (7) of this section, BHP enrollees who are HCTC eligible will be subject to the rules for BHP enrollees.

(6) Notice of disenrollment will be sent to the HCTC enrollees for whom the premium has not been paid. This notice will be sent before the month of coverage, but will not be subject to the notification requirements in WAC 182-24-070(7). If payment is received no later than the first day of the month of coverage, the enrollee's coverage for that month will be reinstated.

(7) The nine-month waiting period for treatment of preexisting conditions will be waived for HCTC enrollees who have had three months or more of creditable coverage, as defined under Public Law 104-191, without a break in coverage of more than sixty-two consecutive days at the time of application. Subsidized enrollees who are HCTC eligible, who provide proof of that eligibility to their MHCS, will be treated as HCTC enrollees for purposes of determining whether the preexisting condition waiting period can be waived.

(8) HCTC enrollees who disenroll may return to HCTC enrollment without being subject to the provisions of WAC 182-24-070(8).

(9) Because eligibility for the HCTC program is determined by the federal HCTC program at the Internal Revenue Service, BHP will not review appeals of eligibility for the HCTC program. Instructions on appealing an HCTC eligibility determination are available through the HCTC customer contact center.