



Rulemaking Meeting #6 Beneficiaries: Rights and Responsibilities

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Agenda

- Housekeeping / Common terms
- Rights and Responsibilities
- Discussion

Housekeeping

- Please use Q&A feature to ask questions during the presentation
- Chat will open for discussion at the end of the presentation
- The recording of this webinar will be made available at <https://wacaresfund.wa.gov/rulemaking>
- Next meeting: May 29th 2pm-4pm to discuss provider rights and application process

Purpose

- The purpose of this meeting is to hear ideas from the public about rulemaking for DSHS WA Cares rulemaking.
- Please direct program questions to WACares@dshs.wa.gov

Common terms

Department of Social and Health Services	DSHS
Employment Security Department	ESD
Health Care Authority	HCA
Long-term services and supports	LTSS
Revised Code of Washington	RCW
Washington Cares Fund / WA Cares Fund	WCF
Washington Administrative Code	WAC



Beneficiary Rights and Responsibilities

RCW 50B.04.020(3)(j)

The department of social and health services shall... adopt rules and procedures necessary to implement and administer the activities specified in this section related to the program.

WAC 388-106-1300

What rights do I have as a client of the department?

As a client of the department, you have a right to:

- (1) Be treated with dignity, respect and without discrimination;
- (2) Not be abused, neglected, financially exploited, abandoned;
- (3) Have your property treated with respect;
- (4) Not answer questions, turn down services, and not accept case management services you do not want to receive. However, it may not be possible for the department to offer some services if you do not give enough information;
- (5) Be told about all services you can receive and make choices about services you want or don't want;
- (6) Have information about you kept private within the limits of the laws and DSHS regulations;
- (7) Be told in writing of agency decisions and receive a copy of your care plan;

WAC 388-106-1300

What rights do I have as a client of the department?

- (8) Make a complaint without fear of harm;
- (9) Not be forced to answer questions or do something you don't want to;
- (10) Talk with your social service worker's supervisor if you and your social service worker do not agree;
- (11) Request a fair hearing;
- (12) Have interpreter services provided to you free of charge if you cannot speak or understand English well;
- (13) Take part in and have your wishes included in planning your care;
- (14) Choose, fire, or change a qualified provider you want; and
- (15) Receive results of the background check for any individual provider you choose.

WAC 388-106-1303

What responsibilities do I have as a client of the department?

As a client of the department, you have a responsibility to:

- (1) Give us enough information to assess your needs;
- (2) Let the social services worker into your home so that your needs can be assessed;
- (3) Follow your care plan;
- (4) Not act in a way that puts anyone in danger;
- (5) Provide a safe work place;
- (6) Tell your social services worker if there is a change in:
 - (a) Your medical condition;
 - (b) The help you get from family or other agencies;

WAC 388-106-1303

What responsibilities do I have as a client of the department?

(c) Where you live; or

(d) Your financial situation.

(7) Tell your social services worker if someone else makes medical or financial decision for you;

(8) Choose a qualified provider;

(9) Inform the department and your home care agency if an employee assigned by the home care agency is related to you by blood, marriage, adoption, or registered domestic partnership.

(10) Keep provider background checks private

(11) Tell your social services worker if you are having problems with your provider; and

(12) Choose your own health care. Tell your social services worker when you do not do what your doctor says.

Beneficiaries have the right to...

- Choose the setting to receive services
- Choose their registered provider
- Choose how to receive their care, such as frequency and duration
- Have access to language services, such as interpreters and translated documents
- Have equal access to services
- Have access to an accurate benefit balance

Beneficiaries have the responsibility to...

- Provide enough information to determine eligibility
- Determine plan of care/service delivery with their chosen provider
- Manage their benefit balance
- Notify the department of a legal decision-maker
- Provide requested information to the department, such as identification verification or proof of residency (prior to implementation of portability)

Beneficiaries have the responsibility to...

- Establish a plan of care or services with a registered provider
- Communicate expectations with the provider
- Negotiate rates with the provider within the maximum allowed payment rates
- Approve payment authorizations for providers
- Contact the WCF Customer Care Center to adjust authorizations, such as changing an end date or cancelling the authorization
- Report provider concerns to DSHS



Discussion

Discussion

- Thinking about the proposed rights and responsibilities of beneficiaries, what do you think is missing?

Discussion

- What is the best way to inform beneficiaries of their rights and responsibilities, and when should they receive the information?

Discussion

- What accessibility or equity considerations come to mind regarding rules for beneficiary rights and responsibilities?

Discussion

- WA Cares is a self-directed model. What tasks may be challenging for a beneficiary who does not have a case manager? What do you suggest for addressing these challenges?

Discussion

- WA Cares may be the first time individuals access long-term services and supports. How could rules support beneficiaries in navigating their benefit through a self-directed model?

Resources

- DSHS website: <https://wacaresfund.wa.gov/rulemaking>
- ESD website: <https://esd.wa.gov/newsroom/rulemaking/ltss>
- HCA website: <https://www.hca.wa.gov/about-hca/rulemaking>
- Questions related to the WA Cares program, please email WACares@dshs.wa.gov



Thank you!

We look forward to continuing this discussion in upcoming meetings

Questions about the WA Cares Fund rulemaking process?

Contact Arielle Finney at Arielle.Finney2@dshs.wa.gov

Questions about the WA Cares Fund program?

Contact the WA Cares Fund Customer Care Team at WACares@dshs.wa.gov