

**RCW 71A.12.370 Medicaid waiver—Eligibility—Transfer. (1)**

Services provided through a medicaid waiver administered by the department, to the extent consistent with federal law and federal funding requirements, shall be provided to eligible individuals who meet the following criteria on or after July 23, 2023:

(a) (i) Are subject to a dependency;

(ii) Are receiving extended foster care services as defined in RCW 74.13.020; or

(iii) Exited a dependency or discontinued extended foster care services as defined in RCW 74.13.020; and

(b) Will begin receiving waiver services prior to the individual's 25th birthday.

(2) Persons meeting the criteria in subsection (1) of this section who are receiving services under the children's intensive behavioral support services waiver under RCW 71A.24.010 must be immediately transferred to a different waiver without a break in waiver coverage when, based on their age, they no longer qualify for the waiver under which they have been receiving services.

(3) For purposes of this section, a "dependency" includes both a dependency under chapter 13.34 RCW and circumstances in which an Indian child is in the custody of a federally recognized Indian tribe as defined in RCW 43.376.010 or the tribe's placing agency. [2023 c 345 s 6; 2021 c 56 s 4.]

**Intent—2021 c 56:** See note following RCW 74.13.805.