

SUBSTANCE USE DISORDER TREATMENT DATA

NEW SECTION

WAC 82-75-800 Purpose. RCW 43.371.030 requires the submission of all claims data to the WA-APCD. Federal rules, 42 CFR Part 2 provides for confidentiality of substance use disorder treatment records from patients treated in a facility or by a provider that is covered under Part 2 of the federal regulation. The purpose of these rules is to provide standards and clarity as to what claims data must be submitted to the WA-APCD while ensuring compliance with federal regulations.

NEW SECTION

WAC 82-75-805 Definition of Substance Use Disorder Treatment Claims. For purposes of chapter 82-75 WAC, "substance use disorder treatment claims" means services provided to treat the recurrent use of alcohol, drugs or both alcohol and drugs that causes clinically and functionally significant impairment based on evidence of impaired control, social impairment, risky use, and pharmacological criteria.

NEW SECTION

WAC 82-75-810 Research Exemption. (1) The office must apply for a research exemption from an institutional review board to hold 42 CFR Part 2 data and to release such data to approved requestors.

(2) The office will provide notification when the research exemption has been received by sending notice through the WA-APCD listserv and by posting the exemption determination letter on the WA-APCD website.

(3) Until the office receives the research exemption, no identified substance use disorder treatment claims data that is covered by 42 CFR Part 2 will be released.

NEW SECTION

WAC 82-75-815 Data Submission Requirements. (1) Data suppliers must submit all substance use disorder treatment claims to the WA-APCD.

(2) If one of the following applies to a data supplier, the data vendor must flag those claims that fall under the substance use disorder treatment category and could be attributed to substance use disorder treatment claims covered by 42 CFR Part 2.

(a) The data supplier or insurance carrier that is the lawful holder of the data does not track whether the provider is covered by 42 CFR Part 2; or

(b) The data supplier or insurance carrier that is the lawful holder of the data tracks whether the provider is covered by 42 CFR Part 2, but does not track whether the specific claim is covered by 42 CFR Part 2; or

(c) The data supplier does not know whether the claims falls under 42 CFR Part 2.

(3) Failure to comply with this rule may subject the data supplier to penalties for failure to comply with WAC 82-75-090.

NEW SECTION

WAC 82-75-820 Data requests for substance use disorder treatment claims.

(1) If a requestor is seeking deidentified substance use disorder treatment claims data, the requestor must follow the

application steps and review by the data release advisory committee.

(3) If a data requestor is seeking substance use disorder treatment claims data with identifiers, the requestor must submit an application to an IRB and have an approved application submitted with the request to the WA-APCD.

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