

# ARKANSAS REGISTER

## Proposed Rule Cover Sheet



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Name of Department \_\_\_\_\_

Agency or Division Name \_\_\_\_\_

Other Subdivision or Department, If Applicable \_\_\_\_\_

Previous Agency Name, If Applicable \_\_\_\_\_

Contact Person \_\_\_\_\_

Contact E-mail \_\_\_\_\_

Contact Phone \_\_\_\_\_

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Name of Rule \_\_\_\_\_

Newspaper Name \_\_\_\_\_

Date of Publishing \_\_\_\_\_

Final Date for Public Comment \_\_\_\_\_

Location and Time of Public Meeting \_\_\_\_\_

## NOTICE OF RULE MAKING

The Director of the Division of Developmental Disabilities of the Department of Human Services announces for a public comment period of thirty (30) calendar days a notice of rulemaking for the following proposed rule under one or more of the following chapters, subchapters, or sections of the Arkansas Code: §§ 20-48-103, 20-48-201 et seq., 20-76-201, 20-77-107, and 25-10-129.

### **Effective January 1, 2021:**

The Division of Developmental Disabilities (DDS) revises the Adult Developmental Day Treatment (ADDT) Medicaid Provider Manual and the Arkansas Medicaid State Plan, and issues new Rules for the Division of Developmental Disabilities Adult Developmental Day Treatment. These updates facilitate billing for ADDT services, modernize language to current industry standards, clarify available ADDT services, and establish new rules relating to ADDT licensure and monitoring. DDS also repeals DDS Standards for Certification, Investigation, and Monitoring for Center-Based Community Services, DDS Policy 1090 Certification Policy for Non-Center Based Services, and DDS Policy 1091 Licensing Policy for Center-Based Community Services.

DDS updates the ADDT Medicaid Provider Manual by removing duplicate and unnecessary information, revising section arrangement for clarity, and clarifying available services. DDS removes recoupment and appeal sections covered in other sections of the Medicaid Manual. DDS eliminates codes from the manual based on Act 605 of 2017 to allow faster updates of national code changes, changes the term "Speech Therapy" to "Speech-Language Therapy", and removes definitions of "unit".

DDS changes the Arkansas Medicaid State Plan to reflect that the evaluation and treatment plan development services are now combined into one (1) service for billing purposes. DDS updates evaluation limits per State Fiscal Year to four (4) units for Speech-Language Therapy and two (2) units for Physical Therapy and Occupational Therapy. DDS changes the term "Speech Therapy" to "Speech-Language Therapy" and removes definitions of "unit".

DDS issues the Rules for the Division of Developmental Disabilities Adult Developmental Day Treatment as the new set of minimum standards for ADDT programs covering all topics related to ADDT licensure and monitoring. The new rules supersede the DDS Standards for Certification, Investigation, and Monitoring for Center-Based Community Services, DDS Policy 1090 Certification Policy for Non-Center Based Services, and DDS Policy 1091 Licensing Policy for Center-Based Community Services

The proposed rule is available for review at the Department of Human Services (DHS) Office of Rules Promulgation, 2nd floor Donaghey Plaza South Building, 7th and Main Streets, P. O. Box 1437, Slot S295, Little Rock, Arkansas 72203-1437. You may also access and download the proposed rule on the Medicaid website at <https://medicaid.mmis.arkansas.gov/General/Comment/Comment.aspx>. Public comments must be submitted in writing at the above address or at the following email address: [ORP@dhs.arkansas.gov](mailto:ORP@dhs.arkansas.gov). All public comments must be received by DHS no later than **October 29, 2020**. Please note that public comments submitted in response to this notice are considered public documents. A public comment, including the commenter's name and any personal information contained within the public comment, will be made publicly available and may be seen by various people.

A public hearing by remote access only will be held on October 16, 2020 at 1:00 p.m. Individuals may access this public hearing by calling 1-888-431-3632 and entering the conference code: 2152068.

If you need this material in a different format, such as large print, contact the Office of Rules Promulgation at 501-320-6266.

The Arkansas Department of Human Services is in compliance with Titles VI and VII of the Civil Rights Act and is operated, managed and delivers services without regard to religion, disability, political affiliation, veteran status, age, race, color or national origin. **4501960528**

A handwritten signature in black ink, appearing to read 'Melissa Stone', is written over a horizontal line.

Melissa Stone, Director

Division of Developmental Disability Services