

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 _____

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: §§ 20-76-201, 20-77-107, and 25-10-129.

Effective January 1, 2021:

The Division of Developmental Disabilities (DDS) amends the Arkansas Medicaid State Plan to reflect current procedural terminology and evaluation limits for occupational, physical, and speech-language therapy services. Changes to the Occupational, Physical, and Speech-Language Therapy Services Medicaid Provider Manual include these updated terms as well as revised service codes and referral, testing, evaluation requirements, and removal of outdated information. Therapy references in the ARKids First-B, Hospital, Rehabilitative Hospital, Prosthetics, Home Health, Physician, and Nurse Practitioner provider manuals have been updated to reflect the above changes in the Occupational, Physical, and Speech-Language Therapy Services provider manual. The Intelligence Quotient testing requirement for speech-language therapy for children over ten years of age was removed, and evaluation requirements for speech generating devices were updated. DDS removes the opt-in requirements for the Part B program under the Individuals with Disabilities Education Act (IDEA) as the program transferred back to the Arkansas Department of Education, and new language sets out referral requirements for children ages 3-5 in compliance with the IDEA. Revisions to the quality review process are updated to remove specific vendor names.

Procedure codes are being removed from the manual pursuant to Ark. Code Ann. § 25-15-202(9)(B)(iv) and to allow for faster updates when national procedure codes change. A place of service code is added so that Early Intervention Day Treatment and Adult Developmental Day Treatment facilities may continue to provide therapy.

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. All public comments must be received by DHS no later than November 2, 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.

If you need this material in a different format, such as large print, contact the Office of Rules Promulgation at 501-320-6164.

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.



Melissa Stone, Director
Division of Developmental Disabilities Services