

NOTICE OF RULE MAKING

The Director of the Division of Medical Services hereby issues the following proposed medical assistance rule(s) under one or more of the following chapters or sections of the Arkansas Code: 20-10-211(a), 20-10-203(b), 20-76-433, 25-10-129, and Title 20, Chapter 77.

The number of reserved capacity slots in the Division of Developmental Disabilities Services Alternative Community Services (DDS-ACS) 1915(c) Home and Community Based Services waiver will be increased from sixty (60) to one hundred (100) slots effective July 1, 2013. The reserved capacity slots are for the use of children with developmental disabilities who are determined to require ICF/MR level of care, and who are in the custody of the Department of Human Services, Division of Children and Family Services. The gross estimated annual expenditure associated with filling the additional forty (40) waiver slots for State Fiscal Year 2014 is \$2,668,888. This estimate does not include potential savings from individuals who receive DDS-ACS in lieu of institutional care.

The DDS-ACS waiver is amended to be consistent with the DDS Policy 1010 Service Concern Resolution, to add Behavior Analyst as a qualified provider of Consultation Services, to add clarifying language regarding qualifications of the direct service provider which must be required by the provider entity, and to add criminal background check language to be consistent with Arkansas A.C.A. §20-38-105.

The proposed policy is available for review at the Division of Medical Services, Program Development and Quality Assurance, 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 it on the Medicaid website (www.medicaid.state.ar.us), and download it from the "Proposed Rules For Public Comment" section of the website's *General* menu. Policy accessed from this location will be watermarked with the word "Proposed". All comments must be submitted in writing no later than April 16, 2013.

If you need this material in a different format, such as large print, contact our office at 501-320-6429.

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. **4501272097 EL**

Andrew Allison, PhD
Director
Division of Medical Services

Date: March 18, 2013 – March 20, 2013