

## 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.

**Effective January 1, 2015, Arkansas Medicaid proposes to update the Alternatives for Adults with Physical Disabilities (AAPD) Waiver Provider Manual to change the number of hours that an attendant care service provider is allowed to work. An individual provider may not work for more than 40 hours per week. An individual provider may work for only one beneficiary during a single day. Established benefit limits will remain the same for each beneficiary (up to 56 hours per week, based on the beneficiary's approved Plan of Care). This regulation change is necessary to comply with the Department of Labor-Fair Labor Standards Act (DOL-FLSA) regulation eliminating the companionship services exemption from minimum wage and overtime.**

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](http://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 at the above address no later than November 29, 2014.

If you need this material in a different format, such as large print, contact Program Development and Quality Assurance 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. **4501452847 EL**

---

Dawn Stehle, Director  
Division of Medical Services

Date: October 31, 2014 through November 2, 2014