

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 Arkansas Department of Human Services is updating the DDS ACS Waiver AR 0188 and the Medicaid Provider Manual, Developmental Disabilities Services, Home and Community Based Services Waiver, Alternative Community Services Waiver to reflect the September 1, 2016 waiver renewal approved by CMS. The Waiver and the Provider Manual changes are identical.

The waiver renewal added 100 reserve capacity slots to phase in eligible children who are in the custody of Division of Children and Family Services (DCFS); added Supportive Living retainer payments to providers; and added requirements of case management and independent assessments regarding conflict of interest, including a stipulation that prohibits an Organization from providing case management and any direct service to the same person and add provision for case management through contracted provider. It also removed restriction on paying overtime to family members hired as staff working more than 40 hours per week and changed the effective term of Interim Plan of Care (IPOC) from 90 days to 60 days. The renewal included all requirements stated in the Centers for Medicare and Medicaid Services (CMS) Final Rule on HCBS and to address required assurances and sub assurances so they are measurable and have a direct impact on quality.

The proposed policy is available for review at the Division of Disability Services, Director's Office, 5th floor Donaghey Plaza North Building, 7th and Main Streets, P. O. Box 1437, Slot N501, Little Rock, Arkansas 72203-1437. You may also access it on the Medicaid website (www.medicaid.state.ar.us) or the DDS Website (<http://humanservices.arkansas.gov/ddds/Pages/default.aspx>). All comments must be submitted in writing, at the above address, no later than March 29, 2017.

A public hearing will be held on March 29, 2017, at 4:30 PM, at the Main Library, 100 Rock Street, Little Rock, AR in the Darragh Center Auditorium.

If you need this material in a different format, such as large print, contact our office at 501-682-8701.

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. **4501638214 EL**

Dawn Stehle
Director
Division of Medical Services