

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 Medical Services 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 February 1, 2020:


DHS Policy 1088, Participant Exclusion Rule, is being revised to:

- Clarify that the Office of Medicaid Inspector General (OMIG) is an entity that may exclude Medicaid providers pursuant to Ark. Code Ann. § 20-77-2506
- Clarify the procedure for adding an individual or organization to the excluded participant list and the duration of the exclusion
- Clarify the circumstances that may result in mandatory and discretionary exclusions
- Add language to implement Acts 2019, No. 951, which provides that an individual working as a peer support specialist may not be excluded from participation in the Arkansas Medicaid Program if the exclusion was based on a criminal background check under certain circumstances, including that the individual obtains certification in peer recovery and the criminal offense does not involve violence or a sexual act
- Rearrange and renumber sections so that the rule is set out in a more logical order
- Make general revisions to the language for clarity

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 29, 2019**. 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. **4501888131**



Janet Mann, Director
Division of Medical Services