

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, 20-77-101 et. seq., and 25-10-129.

Effective July 1, 2020:

The Arkansas Department of Human Services (DHS), Division of Medical Services (DMS) intends to revise the Arkansas Medicaid State Plan and Hospital Manual regarding Long Term Acute Care Hospitals (LTACs). The changes institute minimum requirements for LTACs to become separate licensed and certified entities eligible for enrollment in the Arkansas Medicaid Hospital Program.

Background: Arkansas Medicaid has six (6) LTACs enrolled within the state and co-located within acute care or general hospitals. These hospitals are very similar to other long-term care facilities serving Medicaid members. Arkansas Medicaid recognizes a very limited need for these hospitals' specialized services. DHS seeks to implement State Plan and program rules that recognize these hospitals accordingly. The agency intends to limit the number of such hospitals to the six (6) LTACs already enrolled unless a needs assessment indicates an access to care issue.

Amendment and revisions: The rule revisions include the following. DHS revises the Arkansas Medicaid State Plan (pages 3.1-A page 1a; 3.1-A page 1 aa; 3.1-B page 2a; and 3.1-B page 2aa) to add the LTAC as its own designation with limitations on enrollment to current LTAC providers as of July 1, 2020, unless a needs assessment indicates an access to care issue exists necessitating reopening of enrollment. The plan amendment adds LTACs as providers for the medically needy and categorically needy and defines the amount, duration, and scope of services provided. DHS revises the Hospital Manual sections 201.000 and 201.100 to recognize LTACs as their own licensed and certified entity and to limit enrollment to those already enrolled as of July 1, 2020, unless a needs assessment indicates an access to care issue exists necessitating reopening of enrollment. Section 201.000 also adds LTACs as the fifth type of acute care hospital eligible for enrollment in the Arkansas Medicaid Hospital Program. Section 201.100 requires LTAC licensure by the Arkansas Department of Health and certification as an LTAC Title XVIII (Medicare) provider.

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 May 11, 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 501-320-6266.

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