

## NOTICE OF RULE MAKING

### Arkansas Department of Human Services Policies and Procedures Manual

Pursuant to U.S. Omnibus Reconciliation Act of 1981, Ark. Code Ann. Sec. 25-10-101 et seq., Act 218 of 1983, and Act 348 of 1985, the Chief Fiscal and Administrative Officer, Department of Human Services (DHS), is proposing a revision to DHS Policy 1088, DHS Participant Exclusion Rule.

The revision narrows the effect of exclusion on related parties to avoid casting too broad a net when excluding a bad actor. Based on experience under the current policy, the revision adds four new reasons for exclusion. Two relate to compliance with professional standards of care and licensing requirements. The third addition makes it clear that misrepresentation by silence is a form of falsification; and the fourth reason concerns transacting business in violation of an exclusion.

Policy 1088 will be effective December 14, 2009.

Copies of the rule may be obtained by writing to the Office of Finance and Administration, P.O. Box 1437, Slot WG3, Little Rock, AR 72203-1437, Attention: Policy and Administrative Program Management. All comments about the proposed revision must be submitted in writing within 30 days of the date appearing below or 30 days following the date of the newspaper notice, whichever is the longer period.

The Department of Human Services, Office of Finance and Administration, is in compliance with Titles VI and VII of the Civil Rights Act and is operated, managed, and delivers services without regard to age, religion, disability, political affiliation, veteran status, sex, race, color, or national origin.

Alternate formats, such as large print, audiotope, etc. will be provided upon request.

*Signed*

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Jerry Berry  
Chief Fiscal and Administrative Officer