

## NOTICE OF RULE MAKING

### Arkansas Department of Human Services DHS Policy Compliance with Act 98 of 2011

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 No. 3007, Options Counseling.

This rule implements both the long-term care Options Counseling and the Minimum Data Set (MDS) Section Q referral processes that are made to DHS. In both programs, long-term care facilities are required to refer to DHS residents who are interested in other care alternatives. The Options Counseling Program provides information regarding long-term care options to an individual (or the individual's representative) who: 1)Seeks an Options Counseling consultation, or 2)Seeks admission to a long-term care facility, regardless of payment source, or 3)Resides in a long-term care facility and applies for Medicaid reimbursement.

The revisions will be effective June 30, 2012

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, audiotape, etc. will be provided upon request.

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Jerry Berry  
Chief Fiscal and Administrative Officer