

ARKANSAS REGISTER

Proposed Rule Cover Sheet



Secretary of State
John Thurston
500 Woodlane Street, Suite 026
Little Rock, Arkansas 72201-1094
(501) 682-5070
www.sos.arkansas.gov



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 October 1, 2020:

The Division of Medical Services (DMS) announces it will amend the Arkansas Medicaid State Plan to sunset the Episode of Care Program.

Background: The Episode of Care (EOC) program has been successful as each episode is now reporting stability in cost and quality. Financially, the positive incentives now outweigh negative incentives. The program has exhausted any practical selection of new or additional conditions or procedures for which to study. The proposed rule provides that the EOC Program will sunset over a period of two state fiscal years. State fiscal year 2020 (July 1, 2019 – June 31, 2020) will be the last reporting period for each episode's performance period. In State fiscal year 2021, the final reconciliation episode report will be generated. The reconciliation report period allows Principal Accountable Providers the opportunity to improve their gain share/risk share or incentive position. The report will reconcile the payment report for a final determination of possible risk share or gain share. The reporting timeframe below identifies the episode programs and the timeframe for each EOC.

Arkansas Medicaid State Plan changes: The Arkansas Medicaid State Plan is being revised to announce the sunset of the Episode of Care Program gradually over SFY 2020 and SFY 2021. Section I, 180.000, Episodes of Care, of the Medicaid provider manual, is being revised to announce the conclusion of the Episode of Care Program gradually over SFY 2020 and SFY 2021. Section II, 200.000, Episodes of Care General Information, of the Episodes of Care Provider Manual, is being revised to announce the conclusion of the Episode of Care Program gradually over SFY 2020 and SFY 2021. Included in the section is a timeframe of the gradual sunset for each episode of care. Section II, 210.000 – 223.000, Episodes of Care Provider Manual, are being revised to reflect the final payment report date and the final reconciliation report date of each episode of care.

The EOC program is a retroactive, financial program of Arkansas fee-for-service Medicaid. The episodes were launched quarterly and, as a result, have different performance periods. Each EOC will sunset as follows:

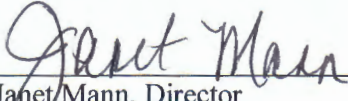
- Coronary Arterial Bypass Graft (CABG) will have a final payment report produced on July 31, 2019 and final reconciliation report produced on July 31, 2020
- Asthma will have a final payment report produced on October 31, 2019 and final reconciliation report produced on October 31, 2020
- Acute Ambulatory Upper Respiratory Infection (URI) will have a final payment report produced on January 31, 2020 and final reconciliation report produced on January 31, 2021
- Cholecystectomy (CHOLE) will have a final payment report produced on January 31, 2020 and final reconciliation report produced on January 31, 2021
- Perinatal will have a final payment report produced on January 31, 2020 and final reconciliation report produced on January 31, 2021
- Chronic Obstructive Pulmonary Disease (COPD) will have a final payment report produced on April 30, 2020 and final reconciliation report produced on April 30, 2021
- Congestive Heart Failure (CHF) will have a final payment report produced on April 30, 2020 and final reconciliation report produced on April 30, 2021
- Colonoscopy (COLON) will have a final payment report produced on April 30, 2020 and final reconciliation report produced on April 30, 2021

- Tonsillectomy (TONSIL) will have a final payment report produced on April 30, 2020 and final reconciliation report produced on April 30, 2021
- Total Joint Replacement (TJR) will have a final payment report produced on April 30, 2020 and final reconciliation report produced on April 30, 2021

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 July 25, 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