

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: §§ 25-10-129, 20-76-201, and 20-77-107.

Effective January 1, 2022:

The Director of the Division of Medical Services (DMS) amends the Arkansas Medicaid Hospital Provider Manual to define the operation of Outpatient Acute Crisis Units (ACU). The Medicaid State Plan change is being submitted to expand ACUs into hospital outpatient settings and increase the rate for freestanding ACUs operated outside of a hospital. An ACU must ensure that ongoing assessment and observation; crisis intervention; psychiatric, substance, a co-occurring treatment; and initial referral mechanism services are available and provided. A hospital providing an ACU may also provide substance abuse detoxification with the unit. Substance abuse detoxification definitions are added to the manual. DMS adds that rates are based on eighty percent (80%) of the current daily rate for the Arkansas State Hospital as of 7/1/2021. Services are authorized for ninety-six (96) hours per encounter before the provider must initiate an extension of benefits request for a medical necessity approval for services beyond ninety-six (96) hours.

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 at <https://humanservices.arkansas.gov/do-business-with-dhs/proposed-rules/>. 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 **October 30, 2021**. 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.

A public hearing by remote access only through a Zoom webinar will be held on **October 13, 2021**, at **10:00 a.m.** and public comments may be submitted at the hearing. Individuals can access this public hearing at <https://us02web.zoom.us/j/81675100914>. The webinar ID is 81675100914. If you would like the electronic link, "one-tap" mobile information, listening only dial-in phone numbers, or international phone numbers, please contact ORP at ORP@dhs.arkansas.gov.

If you need this material in a different format, such as large print, contact the Office of Rules Promulgation at 501-396-6428.

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. 4502035775


Elizabeth Pitman, Director
Division of Medical Services