

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

Effective January 1, 2022:

The Director of the Division of Medical Services (DMS) revises Section II of the Pharmacy Provider Manual. The 93rd General Assembly enacted Act 758 allowing six (6) prescription refills per month. Act 758 also included additional medications that do not count against the monthly prescription benefit cap. These medications are prescriptions for high blood pressure, hypercholesterolemia, blood modifiers, diabetes, and respiratory inhalers.

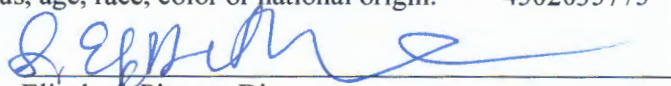
DMS amends Section II of the Pharmacy Provider Manual and the Medicaid State Plan to replace the term beneficiary with client. DMS changes sections that limited clients to three prescription refills per month to reflect the allowance of six (6) refills. DMS also adds prescriptions for treatment of high blood pressure, treatment of hypercholesterolemia, treatment of diabetes, blood modifier medications, and inhalers to treat respiratory illness to the list of medications that do not count against the monthly prescription cap. DMS adds that Living Choices Assisted Living Program clients are eligible for up to nine (9) medically necessary prescriptions per month. DMS adds that the client is responsible for paying for their own medications for the remainder of the month when the client has received the maximum monthly benefit or the maximum monthly extended benefit and deletes the "Extension of Benefits" section. Lastly, DMS deletes language requiring a new, original prescription to continue drug therapy beyond five refills or six months and adds that refills shall be in accordance with federal and state laws.

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 November 8th, 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 20th, 2021 at 11:00 a.m. and public comments may be submitted at the hearing. Individuals can access this public hearing at <https://us02web.zoom.us/j/87044183305>. The webinar ID is 870 4418 3305. 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.

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Elizabeth Pitman, Director
Division of Medical Services