

# 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 \_\_\_\_\_

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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, & 25-10-129.

### **Effective January 1, 2022:**

The Director of the Division of Medical Services (DMS) amends the Medicaid State Plan and the Provider Manual to establish rules implementing a new Section 1115 Demonstration Waiver, the Arkansas Health and Opportunity for Me Program (ARHOME). DMS adds clarification concerning individuals identified as American Indian or Alaskan Native (AI/AN) and outlines cost-sharing parameters and limitations. DMS adds to the State Plan that individuals identified as AI/AN will not be required to enroll in a qualified health plan but may choose to opt in. AI/AN individuals that opt in are subject to federal poverty level eligibility determinations and coverage will begin 30 days prior to the date an application is submitted. AI/AN individuals who chose not to opt into a qualified health plan will receive an alternative benefit plan. DMS also adds that individuals with household income above 20% of the federal poverty limit and who are awaiting assignment to a qualified health plan shall pay cost sharing. DMS outlines six bands of cost sharing based on an individual's federal poverty level and that cost-sharing may not exceed 5% of the lowest level of income within each band. Also, individuals below 20% of the federal poverty level, those deemed medically frail, or those identified as American Indian or Alaskan Native, individuals aged 19-20 years who receive EPSDT services, and pregnancy-related services are not subject to cost sharing.

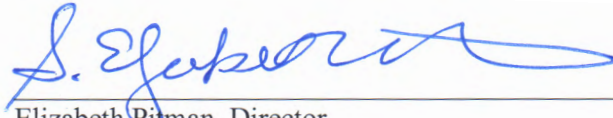
DMS updates the Provider Manual to reflect the ARHOME cost sharing. Beneficiaries with household income above 20% of the federal poverty level shall pay cost shares. The minimum copays for certain services are listed in the manual. A beneficiaries' total copayment obligations are capped each quarter for each of the six cost sharing bands. DMS lists the cap amounts per quarter for each band. Beneficiaries with household income over 100% of the federal poverty level, who are enrolled in a qualified health plan, are subject to a monthly premium. DMS lists the monthly premium amount in the manual.

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](mailto:ORP@dhs.arkansas.gov). All public comments must be received by DHS no later than November 12<sup>th</sup>, 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 27, 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/84357627289>. The webinar ID is 843 5762 7289 6203 9587. 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](mailto: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



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Elizabeth Pitman, Director  
Division of Medical Services