

**STATE OF RHODE ISLAND  
EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES**

**3/25/2020 PUBLIC NOTICE OF PROPOSED AMENDMENT TO RHODE ISLAND  
MEDICAID STATE PLAN**

In accordance Rhode Island General Laws 42-35, notice is hereby given that the Executive Office of Health and Human Services (EOHHS) proposes to make the following amendment to the Rhode Island State Plan under Title XIX of the Social Security Act:

**Medicaid Disaster Relief SPA: New Flexibilities During COVID-19 Emergency**

In response to the novel coronavirus disease (COVID-19) declaration of emergency, EOHHS has requested authority to:

1. Consider individuals who are evacuated from the state, who leave the state for medical reasons related to COVID-19 emergency, or who are otherwise absent from the state due to the COVID-19 emergency and who intend to return to the state, to continue to be residents of the state under 42 CFR 435.403(j)(3);
2. Extend the reasonable opportunity period for non-citizens declaring to be in a satisfactory immigration status, if the non-citizen is making a good faith effort to resolve any inconsistencies or obtain any necessary documentation, or the agency is unable to complete the verification process within the 90-day reasonable opportunity period due to the disaster or public health emergency;
3. Adopt 12-month continuous eligibility for children under age 19 regardless of changes in circumstances in accordance with section 1902(e)(12) of the Social Security Act and 42 CFR 435.926;
4. Conduct redeterminations of eligibility for individuals excepted from MAGI-based financial methodologies under 42 CFR 435.603(j) once every 12 months in accordance with 42 CFR 435.916(b);
5. Expand prior authorization for medications through automatic renewal without clinical review, or time/quantity extensions;
6. Make exceptions to the published Preferred Drug List if drug shortages occur. This would include options for covering a brand name drug product that is a multi-source drug if a generic drug option is not available;
7. The state elects a new variance to change the basic personal needs allowance under which:
  - a. For the home- and community-based care population, the PETI will be equal to the individual's total income.

- b. For individuals that are admitted to an institution during the COVID-19 state of emergency, the basic personal needs allowance will be modified to 300 percent of the SSI federal benefit rate for 6 months.

The financial impact to annual expenditures of this temporary change relies on the length of the state of emergency and the duration of federal financial relief. The proposed effective date of this change is March 1, 2020.

This proposed amendment is accessible on the EOHHS website ([www.eohhs.ri.gov](http://www.eohhs.ri.gov)) or available in hard copy upon request (401-462-6348 or RI Relay, dial 711). Interested persons should submit data, views, or written comments by April 24, 2020 to Melody Lawrence, Executive Office of Health and Human Services, 3 West Rd, Cranston, RI, 02920, or [Melody.Lawrence@ohhs.ri.gov](mailto:Melody.Lawrence@ohhs.ri.gov).

In accordance with the Rhode Island General Laws 42-35-3, an oral hearing will be granted on the proposed State Plan Amendment if requested by twenty-five (25) persons, an agency, or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

The Executive Office of Health and Human Services does not discriminate against individuals based on race, color, national origin, sex, gender identity or expression, sexual orientation, religious belief, political belief, or handicap in acceptance for or provision of services or employment in its programs or activities.