

TO: Interested Parties
FROM: Rhode Island Executive Office of Health and Human Services (EOHHS)
DATE: October 4, 2021
SUBJECT: Public Notice of Proposed Rulemaking

Rulemaking Action: Direct Final Amendment

These regulations are being promulgated pursuant to the authority contained in R.I. Gen. Laws Chapter 40-8 (Medical Assistance); R.I. Gen. Laws Chapter 40-6 (“Public Assistance”); R.I. Gen. Laws Chapter 42-7.2; R.I. Gen. Laws Chapter 42-35; and Title XIX of the Social Security Act.

210-RICR-50-00-8 Post-Eligibility Treatment of Income (PETI)

As legislatively mandated by the Enacted FY22 State Budget, the Secretary of the Rhode Island Executive Office of Health and Human Services (EOHHS) has under consideration an amendment to the Medicaid regulations entitled, 210-RICR-50-00-8 Post-Eligibility Treatment of Income (PETI).

This amendment adjusts the regulations to reflect the elimination of the Category F program. In addition, since Category F members had received supplemental payments that were allocated to room and board, the regulations are being amended to reflect the updated maximum for the Special Maintenance of Needs Allowance for room and board.

These proposed rules are accessible on the R.I. Secretary of State’s website:

<http://www.sos.ri.gov/ProposedRules/>, the EOHHS website: www.eohhs.ri.gov, or available in hard copy upon request (401 462-1501 or RI Relay, dial 711). Interested persons should submit data, views, or written comments by **November 3, 2021** to Katy Thomas, RI Executive Office of Health & Human Services, Virks Building, 3 West Rd, Cranston, RI 02920 or Kathryn.thomas@ohhs.ri.gov.

The Department does not expect the proposed amendment to be controversial as this change has already gone through a public process during the enactment of the FY22 State Budget. **If no formal objection is received on or before November 3, 2021, the Executive Office of Health and Human Services will file the Amendment without opportunity for public comment.**

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