

TO: Interested Parties
FROM: Rhode Island Executive Office of Health and Human Services (EOHHS)
DATE: December 21, 2022
SUBJECT: Public Notice of Proposed Rulemaking

These regulations are being promulgated pursuant to the authority contained in R.I. Gen. Laws Chapter 40-8; R.I. Gen. Laws Chapter 40-6; 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-50-10-2 Self-Directed Care

The Secretary of the Rhode Island Executive Office of Health and Human Services (EOHHS) has under consideration an amendment to the Medicaid regulations, 210-RICR-50-10-2, entitled Self-Directed Care.

This amendment increases the minimum wage in regulation for the Personal Choice and Independent Provider programs to ensure a minimum wage of \$15 per hour, in accordance with the FY2023 Budget as Enacted. This amendment also increases the maximum wage for the Personal Choice program to \$21 per hour. In addition, the regulation clarifies that personal care attendants providing direct care to individuals in these programs must submit to a national criminal background check supported by fingerprints as required by law. Finally, this amendment adds detail to clearly and accurately define the features and requirements of these programs.

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 (401-462-2598 or RI Relay, dial 711). Interested persons should submit data, views, or written comments by **January 20, 2023** to Katy Thomas, RI Executive Office of Health & Human Services, Virks Building, 3 West Rd, Cranston, RI 02920 or Kathryn.thomas@ohhs.ri.gov.

In accordance with R.I. Gen. Laws 42-35-2.8(c), an opportunity for a hearing will be granted if a request is received by twenty-five (25) persons, or by a governmental agency, or by an association having not less than twenty-five (25) members, within ten (10) days of this notice that is posted in accordance with R.I. Gen. Laws 42-35-2.8(a). A hearing must be open to the public, recorded, and held at least five (5) days before the end of the public comment period.

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.