

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Title of Rule: "Medicaid Long-Term Services and Supports: Home and Community-Based Services (HCBS)" (210-RICR-50-10-1)

Rule Identifier: 210-RICR-50-10-1

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: November 6, 2024

End of Public Comment: December 6, 2024

Rulemaking Authority:

R.I. Gen. Laws § 42-7.2-11

Chapter 40-6

Chapter 40-8

Title XIX of the Social Security Act

Summary of Rulemaking Action:

This regulation is being amended to comply with the person-centered planning and conflict-free case management requirements for all Medicaid home and community-based services (HCBS) under federal regulations (42 C.F.R. Part 441). This update also includes a more detailed description of EOHHS' ongoing monitoring process for compliance with the federal HCBS Settings requirements. The amendment also incorporates the federally-accepted definitions of HCBS as authorized under the approved Section 1115 waiver and makes other technical changes to correct formatting and utilize the preferred term for program participants.

Additional Information and Public Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until December 6, 2024 by contacting the appropriate party at the address listed below:

Katy Thomas
Executive Office of Health and Human Services
3 West Road
Virks Building
Cranston, RI 02920
Kathryn.Thomas@ohhs.ri.gov

In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by a governmental agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within ten (10) days of the publication of this notice.

Regulatory Analysis Summary and Supporting Documentation:

All Medicaid HCBS will now receive a comprehensive functional needs assessment, person-centered planning, and case management services from an unbiased case manager of their choice. This will improve identification, authorization, and access to needed services and ensure compliance with federal requirements for the Medicaid program.

For full regulatory analysis or supporting documentation contact the agency staffperson listed above.