



TO: Interested Parties
FROM: Rhode Island Executive Office of Health and Human Services (EOHHS)
DATE: August 26, 2020
SUBJECT: Public Notice of Proposed Rulemaking

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-50-10-2 Self-Directed

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-50-10-2 Self-Directed.

The purpose of this amendment is to allow a prospective Personal Care Attendant (PCA), who is a family member or friend, to provide services and receive payment for such services, after signing an attestation that they will complete the mandatory orientation within thirty (30) days of commencing employment, as a PCA. The PCA shall also attest that they will complete the necessary background checks and CPR training. These changes will help improve access to care.

Additionally, this amendment allows a participant who is identified through the Nursing Home Transition Program /Money Follows the Person Program to be provided with a temporary assessment, in order to facilitate the transition process. The service advisement agency selected by the consumer shall complete an updated assessment within ninety (90) days of the participant returning home.

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 **September 25, 2020** to Gretchen Bell, RI Executive Office of Health & Human Services, Virks Building, 3 West Rd, Cranston, RI 02920 or gretchen.bell@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.