



**TO: Interested Parties**  
**FROM: Rhode Island Executive Office of Health and Human Services (EOHHS)**  
**DATE: March 31, 2021**  
**SUBJECT: Public Notice of Proposed Rulemaking**

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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 Medicaid Long-Term Services and Supports (LTSS) Post-Eligibility Treatment of Income (PETI)**

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 Medicaid Long-Term Services and Supports (LTSS) Post-Eligibility Treatment of Income (PETI).

This amendment clarifies the calculation for Assisted Living Special Maintenance of Need Allowance for room and board for all Medicaid LTSS beneficiaries residing in assisted living (other than D and F), should be the federal benefit rate + supplemental payment for Category F, less the applicable personal needs allowance, as adjusted for a single versus double room. This amendment also proposes increasing the personal needs allowance (PNA) for category D from \$100 to \$120 to align with category F.

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](http://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 **April 30, 2021** to Melody Lawrence, RI Executive Office of Health & Human Services, Virks Building, 3 West Rd, Cranston, RI 02920 or [melody.lawrence@ohhs.ri.gov](mailto:melody.lawrence@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.