

CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, following is a concise explanatory statement:

AGENCY: Executive Office of Health and Human Services

DIVISION: *(If any)* Medicaid Policy Unit

RULE IDENTIFIER: 210-RICR-40-05-2

RULE TITLE: “Community Medicaid: Medically Needy Eligibility”

REASON FOR RULEMAKING: This rule describes the Community Medicaid (non-LTSS) medically needy “MN” eligibility pathway in general and establishes the provisions governing initial and continuing eligibility for persons in these populations seeking Medicaid health coverage through this option. This rule discusses the “medically needy” eligibility pathway for Community Medicaid beneficiaries. The amendments include a new section 2.5(B)(2), “conditions on application”, related to allowable expenses for a Medicaid spenddown. The scope, amount, and duration of the service determines whether it qualifies as an allowable expense as a Medicaid covered or non-covered service and, therefore, the order in which it is deducted from excess income. The sequence of deductions for allowable expenses is set forth in this section.

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE

EFFECTIVENESS OF THE RULE: *(if any)* N/A

TESTIMONY AND COMMENTS: N/A

CHANGE TO TEXT OF THE RULE: N/A

REGULATORY ANALYSIS: Societal costs and benefits have not been calculated in this instance. To be in conformity with the state and federal requirements, the state has little discretion in promulgating this rule. For full regulatory analysis or supporting documentation see agency contact person.

DATE THE FINAL RULE WAS SIGNED BY THE AGENCY HEAD: Please see date of electronic signature.