

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

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Title of Rule: Medicaid Integrated Health Care Coverage, SSI Financial Eligibility Determinations (210-RICR-40-00-3)

Rule Identifier: 210-RICR-40-00-3

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: 09/26/2018

End of Public Comment: 10/29/2018

Authority for this Rulemaking:

Chapters 40-6 and 40-8 of the Rhode Island General Laws, as amended; Title XIX of the Social Security Act

Summary of Rulemaking Action:

The Executive Office of Health and Human Services proposes to amend this regulation to be consistent with a new regulation entitled "Medicaid Long-Term Services and Supports: Financial Eligibility, 210-RICR-50-00-6."

Among the proposed amendments:

- Correct cross-references to other Medicaid regulations to reflect re-codified sections;
- In the medically needy section (§ 3.1.7(3)), standards have been revised and LTSS medically needy eligibility health institution costs for 2018 have been inserted;
- LTSS spousal impoverishment standards have been updated in § 3.1.7(7);
- The student earned income exclusion has been revised in § 3.1.7(6);
- Dates related to the federally mandated income exclusions in section 3.4 have been updated;
- New provisions have been added in sections 3.5.5(A)(2) related to types of income and related exclusions;
- New section on "Achieving a Better Life Experience" (ABLE) accounts has been added in § 3.6.4(A)(10).

Additional Information and Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until October 29, 2018 by contacting the appropriate party at the address listed below:

Tarah Provencal
Executive Office of Health and Human Services
3 West Road, Virks Building
Cranston, RI 02920
Tarah.Provencal@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 an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

Regulatory Analysis Summary and Supporting Documentation:

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

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