

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 (EOHHS)

DIVISION: Medicaid Policy Unit

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

RULE TITLE: Chapter 40 – Medicaid for Elders and Adults with Disabilities,
Subchapter 05 – Community Medicaid, Part 2 Community
Medicaid: Medically Needy Eligibility

REASON FOR RULEMAKING:

Regulation is currently not in alignment with federal guidance regarding allowable changes to beneficiary coverage during PHE.

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE EFFECTIVENESS OF THE RULE: *N/A*

TESTIMONY AND COMMENTS: Two comments were received. Please see Response to Comments document.

CHANGE TO TEXT OF THE RULE: The text of the rule was changed to clarify the meaning of “Tier 1”.

REGULATORY ANALYSIS:

This amendment will ensure proper adherence to federal guidance related to the extension of Medicaid benefits during the PHE. This regulation does not impact small business. In the development of the proposed adoption, consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3)

significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.