

**In the Matter Of:**  
**MEDICAID PAYMENTS AND PROVIDERS**

210RICR20001

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**PROCEEDINGS**

*December 21, 2023*

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STATE OF RHODE ISLAND  
EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES  
  
PUBLIC HEARING IN RE:  
Medicaid Payments and Providers (210-RICR-20-00-1)

TRANSCRIPT OF PROCEEDINGS

December 21, 2023

1:00 p.m.

Virks Training Room  
3 West Street  
Cranston, Rhode Island

Nancy S. Caron, CSR

BEFORE:  
Kathryn Thomas, Hearing Officer

ALSO PRESENT:  
Emily Tumber, Staff

INDEX TO EXHIBITS

| EXHIBIT   | DESCRIPTION  | PAGE |
|-----------|--|------|
| Exhibit 1 | Public Notice  | 5    |
| Exhibit 2 | E-mail dated 12/8/2023   | 5    |
| Exhibit 3 | R.I.G.L. Chapters 40-6, 40-8,<br>42-7.2, and Code of Federal<br>Regulation Title 42, Part 455,<br>Title 42, Part 424.518 | 5    |
| Exhibit 4 | Existing Regulation  | 5    |
| Exhibit 5 | Proposed Amendment to Regulation   | 5    |

(Exhibits 1-5 retained by the Hearing Officer.)

1 THE HEARING OFFICER: Welcome. We are here  
2 today for a public hearing regarding the Executive  
3 Office of Health and Human Services proposed Amendment  
4 to Regulations entitled, Medicaid Payments and  
5 Providers (210-RICR-20-00-1). This hearing is being  
6 conducted under the provisions of Chapters 40-6, 40-8,  
7 and 42-7.2 of the Rhode Island General Laws; and Title  
8 42, Part 455, and Title 42, Part 424.518 of the Code of  
9 Federal Regulations. Today is Thursday, December 21st,  
10 2023. My name is Katy Thomas, and I will be the  
11 Hearing Officer for today's proceeding. Before we  
12 start, and so as not to interrupt the proceedings, I  
13 would like to ask those of you with cell phones and  
14 watch alarms, would you silence them at this time.

15 The purpose of the hearing today is to afford  
16 interested parties an opportunity to comment on the  
17 proposed Amendment to the Regulations. This hearing is  
18 intended for public participation only, and is not  
19 intended as a means of providing a forum for  
20 discussions, debating, arguing, or otherwise having any  
21 dialog on the record with members of the Executive  
22 Office of Health and Human Services.

23 If you care to speak, the procedure we will use is  
24 as follows: If you have not done so already, please  
25 register at the side of the room. Speakers will be

1 taken in order of registration. Five minutes will be  
2 allowed for your presentation, unless a lack of  
3 speakers allows for additional time. When you are  
4 called, come to the podium at the front of the room,  
5 identify yourself by name and affiliation, if any, then  
6 make your presentation. If you have a written copy of  
7 your statements, we would appreciate having that for  
8 the record.

9 After the time has elapsed for submission of  
10 written commentary, the Executive Office of Health and  
11 Human Services has four options under state law: The  
12 first option is to file the proposed Amendment as is  
13 with the Secretary of State's Office; the second option  
14 is to file the proposed Amendment with minor changes;  
15 the third option is to make major changes in what you  
16 see before you today, which would necessitate a new  
17 public comment period; the fourth option is to not  
18 file, in which case, the current Regulations would  
19 remain in full force and effect. If filed, Amendments  
20 become effective 20 days after filing, and have the  
21 full force of law. At this time, are there any  
22 questions regarding how the public hearing will be  
23 conducted today?

24 At this time, for the record, we will have a  
25 presentation of Exhibits: Exhibit 1 is the Public

1 Notice of Proposed Rulemaking posted on the Rhode  
2 Island Secretary of State's website and the Executive  
3 Office of Health and Human Services' website on  
4 December 8, 2023. This Notice indicates a 30-day  
5 public comment period that runs through January 28,  
6 2024, and indicates that a public hearing will be held  
7 on December 21, 2023, at 1:00 p.m. Exhibit 2 is a copy  
8 of an e-mail sent on December 8, 2023, to distribute  
9 the Public Notice, and inform the Executive Office of  
10 Health and Human Services' interested parties list  
11 regarding the proposed Amendment. Exhibit 3 is a copy  
12 of Chapters 40-6, 40-8, 42-7.2 of the Rhode Island  
13 General Laws; and Title 42, Part 455, and Title 42,  
14 Part 424.518 of the Code of Federal Regulations.  
15 Exhibit 4 is a copy of the existing Regulation  
16 (210-RICR-20-00-1). Exhibit 5 is a copy of the  
17 proposed Amendment to the Regulation (210-RICR-  
18 20-00-1).

19 EXHIBITS 1-5 MARKED

20 THE HEARING OFFICER: At this time, would anyone  
21 like to speak? Seeing no one wishes to speak, the  
22 submission of any written commentary on the proposed  
23 Amendment will be accepted through January 8, 2024.  
24 Thank you for your attendance, and this hearing is now  
25 closed.

1 COURT REPORTER: Transcript order?

2 THE HEARING OFFICER: An electronic copy is  
3 fine. You can send the bill and transcript to me at my  
4 e-mail.

5 (The Hearing adjourned at 1:24 p.m.)  
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C E R T I F I C A T E

I hereby certify that the foregoing is a true,  
accurate, and complete transcription of my notes as  
taken at the above-entitled hearing.

*Nancy S. Caron*

Nancy S. Caron  
NOTARY PUBLIC  
STATE OF RHODE ISLAND

NANCY S. CARON, C.S.R., NOTARY PUBLIC

MY COMMISSION EXPIRES 07/30/2025



|                  |                    |                   |                    |                   |
|------------------|--------------------|-------------------|--------------------|-------------------|
|                  | <b>30-day</b>      | 3:15              | 3:16 4:17          | <b>elapsed</b>    |
| <b>1</b>         | 5:4                | <b>alarms</b>     | 5:5                | 4:9               |
|                  |                    | 3:14              | <b>commentary</b>  | <b>electronic</b> |
| <b>1</b>         | <b>4</b>           | <b>allowed</b>    | 4:10 5:22          | 6:2               |
| 4:25             |                    | 4:2               | <b>conducted</b>   | <b>entitled</b>   |
| <b>1-5</b>       | <b>4</b>           | <b>Amendment</b>  | 3:6 4:23           | 3:4               |
| 5:19             | 5:15               | 3:3,17            | <b>copy</b>        | <b>Executive</b>  |
| <b>1:00</b>      | <b>40-6</b>        | 4:12,14           | 4:6 5:7,           | 3:2,21            |
| 5:7              | 3:6 5:12           | 5:11,17,          | 11,15,16           | 4:10 5:2,         |
|                  |                    | 23                | 6:2                | 9                 |
|                  | <b>40-8</b>        |                   |                    |                   |
| <b>2</b>         | 3:6 5:12           | <b>Amendments</b> | <b>COURT</b>       | <b>Exhibit</b>    |
|                  | <b>42</b>          | 4:19              | 6:1                | 4:25 5:7,         |
| <b>2</b>         | 3:8 5:13           | <b>arguing</b>    | <b>current</b>     | 11,15,16          |
| 5:7              | <b>42-7.2</b>      | 3:20              | 4:18               | <b>Exhibits</b>   |
| <b>20</b>        | 3:7 5:12           | <b>attendance</b> |                    | 4:25 5:19         |
| 4:20             | <b>424.518</b>     | 5:24              | <b>D</b>           | <b>existing</b>   |
| <b>20-00-1</b>   | 3:8 5:14           |                   |                    | 5:15              |
| 5:18             | <b>455</b>         | <b>B</b>          | <b>days</b>        | <b>F</b>          |
| <b>2023</b>      | 3:8 5:13           | <b>bill</b>       | 4:20               |                   |
| 3:10 5:4,        |                    | 6:3               | <b>debating</b>    | <b>Federal</b>    |
| 7,8              | <b>5</b>           |                   | 3:20               | 3:9 5:14          |
| <b>2024</b>      |                    | <b>C</b>          | <b>December</b>    | <b>file</b>       |
| 5:6,23           | <b>5</b>           |                   | 3:9 5:4,           | 4:12,14,          |
| <b>21</b>        | 5:16               | <b>called</b>     | 7,8                | 18                |
| 5:7              |                    | 4:4               | <b>dialog</b>      | <b>filed</b>      |
| <b>210-RICR-</b> | <b>8</b>           | <b>care</b>       | 3:21               | 4:19              |
| 5:17             |                    | 3:23              | <b>discussions</b> | <b>filing</b>     |
| <b>210-RICR-</b> | <b>8</b>           | <b>case</b>       | 3:20               | 4:20              |
| <b>20-00-1</b>   | 5:4,8,23           | 4:18              | <b>distribute</b>  | <b>fine</b>       |
| 3:5 5:16         |                    | <b>cell</b>       | 5:8                | 6:3               |
| <b>21st</b>      | <b>A</b>           | 3:13              | <b>E</b>           | <b>force</b>      |
| 3:9              | <b>accepted</b>    | <b>Chapters</b>   |                    | 4:19,21           |
| <b>28</b>        | 5:23               | 3:6 5:12          | <b>e-mail</b>      | <b>forum</b>      |
| 5:5              | <b>additional</b>  | <b>closed</b>     | 5:8 6:4            | 3:19              |
| <b>3</b>         | 4:3                | 5:25              | <b>effect</b>      | <b>fourth</b>     |
|                  | <b>affiliation</b> | <b>Code</b>       | 4:19               | 4:17              |
| <b>3</b>         | 4:5                | 3:8 5:14          | <b>effective</b>   | <b>front</b>      |
| 5:11             | <b>afford</b>      | <b>comment</b>    | 4:20               | 4:4               |

PROCEEDINGS  
MEDICAID PAYMENTS AND PROVIDERS

December 21, 2023  
Index: full..Secretary

|  |                          |   |  |   |
|--|--------------------------|---|--|---|
| <b>full</b><br>4:19,21   | 12                       | <b>minutes</b><br>4:1                       | 3:16 5:10  |   |
|  |                          |   | <b>Payments</b><br>3:4                                   | <b>Q</b>                                    |
| <b>G</b>   | <b>J</b>                 | <b>N</b>                                    | <b>period</b><br>4:17 5:5                                | <b>questions</b><br>4:22                    |
| <b>General</b><br>3:7 5:13                                       | <b>January</b><br>5:5,23 | <b>necessitate</b><br>4:16                  | <b>phones</b><br>3:13                                    | <b>R</b>                                    |
| <b>H</b>   | <b>K</b>                 | <b>Notice</b><br>5:1,4,9                    | <b>podium</b><br>4:4                                     | <b>record</b><br>3:21 4:8,<br>24            |
| <b>Health</b><br>3:3,22<br>4:10 5:3,<br>10                       | <b>Katy</b><br>3:10      | <b>O</b>                                    | <b>posted</b><br>5:1                                     | <b>register</b><br>3:25                     |
| <b>hearing</b><br>3:1,2,5,<br>11,15,17<br>4:22 5:6,<br>20,24 6:2 | <b>L</b>                 | <b>Office</b><br>3:3,22<br>4:10,13<br>5:3,9 | <b>presentatio<br/>n</b><br>4:2,6,25                     | <b>registratio<br/>n</b><br>4:1             |
| <b>held</b><br>5:6   | <b>lack</b><br>4:2       | <b>Officer</b><br>3:1,11<br>5:20 6:2        | <b>procedure</b><br>3:23                                 | <b>Regulation</b><br>5:15,17                |
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|                   |                   |
|-------------------|-------------------|
| <b>send</b>       | <b>today</b>      |
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