
TITLE 460 DIVISION OF DISABILITY AND REHABILITATIVE SERVICES

Proposed Rule
LSA Document #09-474

DIGEST

Amends [460 IAC 3.5-1](#), [460 IAC 3.5-1-2](#), and [460 IAC 3.5-2-1](#) concerning service reimbursement rates for providers contracting with the division to provide services to individuals with developmental disabilities. Repeals [460 IAC 3.5-2-2](#). Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[460 IAC 3.5-1-1](#); [460 IAC 3.5-1-2](#); [460 IAC 3.5-2-1](#); [460 IAC 3.5-2-2](#)

SECTION 1. [460 IAC 3.5-1-1](#) IS AMENDED TO READ AS FOLLOWS:

[460 IAC 3.5-1-1](#) Definitions

Authority: [IC 12-8-8-4](#)

Affected: [IC 12-7-2-39](#); [IC 12-7-2-61](#); [IC 12-9-2-6](#)

Sec. 1. The following definitions apply throughout this article:

(1) "Adult" means an individual with a developmental disability who is sixteen (16) years of age or older and who no longer is participating in a secondary education program.

(2) "Adult day services" means the following services that providers, under contract with the division, provide to adult individuals with developmental disabilities:

(A) supported employment follow-along;

(B) community-based sheltered work;

(C) sheltered work;

(D) group habilitation;

(E) individual habilitation;

(F) group occupational therapy;

(G) individual occupational therapy;

(H) group physical therapy;

(I) individual physical therapy;

(J) group speech therapy;

(K) individual speech therapy; and

(L) transportation.

(3) (1) "Developmental disability" has the meaning set forth in [IC 12-7-2-61](#).

(4) (2) "Division" means the division of disability aging, and rehabilitative services.

(5) (3) "Provider" means community mental retardation and other developmental disabilities centers, as defined in [IC 12-7-2-39](#), under contract with the division a person or entity approved by BDDS to provide adult day services to individuals with developmental disabilities: the individual with agreed upon services.

(6) "Round trip" means transportation of an adult from the adult's place of residence to the provider and back.

(7) "Unit of service" means a measurable unit of an adult day service for which a rate of reimbursement is established under this article.

(4) "Services" means the following services that providers, under contract with the division, provide to individuals with developmental disabilities.

(Division of Disability and Rehabilitative Services; [460 IAC 3.5-1-1](#); filed Mar 18, 1996, 11:00 a.m.: 19 IR 2040; readopted filed Mar 11, 2003, 12:42 p.m.: 26 IR 2694; readopted filed Nov 30, 2009, 9:33 a.m.: [20091223-IR-460090857RFA](#))

SECTION 2. [460 IAC 3.5-1-2](#) IS AMENDED TO READ AS FOLLOWS:

[460 IAC 3.5-1-2](#) Purpose and applicability

Authority: [IC 12-8-8-4](#)

Affected: [IC 12-7-2-39](#); [IC 12-7-2-61](#); [IC 12-9-2-6](#)

Sec. 2. The purpose of this article is to establish unit-of service reimbursement rates for providers contracting with the division to provide ~~adult day~~ services to individuals with developmental disabilities.

(Division of Disability and Rehabilitative Services; [460 IAC 3.5-1-2](#); filed Mar 18, 1996, 11:00 a.m.: 19 IR 2041; readopted filed Mar 11, 2003, 12:42 p.m.: 26 IR 2694; readopted filed Nov 30, 2009, 9:33 a.m.: [20091223-IR-460090857RFA](#))

SECTION 3. [460 IAC 3.5-2-1](#) IS AMENDED TO READ AS FOLLOWS:

[460 IAC 3.5-2-1](#) Reimbursement rates

Authority: [IC 12-8-8-4](#)

Affected: [IC 12-7-2-39](#); [IC 12-7-2-61](#); [IC 12-9-2-6](#)

Sec. 1. (a) ~~The units of adult day services specified in this section shall be reimbursed by the division at the following corresponding rates:~~

Adult Day Service	Unit of Service	Unit Rate
Supported employment follow-along	1 hour	\$36.95
Community-based sheltered work	1 hour	\$5.67
Sheltered work	1 hour	\$2.75
Group habilitation	1 hour	\$5.34
Individual habilitation	1 hour	\$28.82
Group occupational therapy	15 minutes	\$5.04
Individual occupational therapy	15 minutes	\$20.13
Group physical therapy	15 minutes	\$5.87
Individual physical therapy	15 minutes	\$23.49
Group speech therapy	15 minutes	\$4.24
Individual speech therapy	15 minutes	\$16.97
Transportation	1 round-trip	\$8.91

(b) ~~For the following rates, at least eighty percent (80%) of the unit rate increase from the previously published unit rate must be paid by the provider to the hourly wages of direct care staff:~~

Adult Day Service	Unit of Service Rate	Previous Unit Rate	New Unit Rate
Community-based sheltered work	1 hour	\$5.43	\$5.67
Group habilitation	1 hour	\$5.11	\$5.34
Individual habilitation	1 hour	\$27.58	\$28.82

The division shall periodically review and set forth the reimbursement rates for services. Services will be reimbursed based on the most current reimbursement rates set forth by the division.

(Division of Disability and Rehabilitative Services; [460 IAC 3.5-2-1](#); filed Mar 18, 1996, 11:00 a.m.: 19 IR 2041; filed Feb 11, 2002, 4:27 p.m.: 25 IR 2226; readopted filed Mar 11, 2003, 12:42 p.m.: 26 IR 2694; readopted filed Nov 30, 2009, 9:33 a.m.: [20091223-IR-460090857RFA](#))

SECTION 4. [460 IAC 3.5-2-2](#) IS REPEALED.

[Notice of Public Hearing](#)

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