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**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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