

Notice of Intent to Adopt a Rule

LSA Document #15-34

Under [IC 4-22-2-23](#), the Office of the Secretary of Family and Social Services intends to adopt a rule concerning the following:

OVERVIEW: Amends [405 IAC 1-4.2-4](#) to extend through June 30, 2017, the three percent rate reduction for covered home health agency (HHA) services that is currently set to expire on June 30, 2015, and clarify the time limits for submission of requested documentation. Amends [405 IAC 1-8-3](#) to extend through June 30, 2017, the three percent rate reduction for covered outpatient hospital services that is currently set to expire on June 30, 2015. Amends [405 IAC 1-10.5-6](#) to extend through June 30, 2017, the three percent rate reduction for covered inpatient hospital services that is currently set to expire on June 30, 2015. Amends [405 IAC 1-11.5-2](#) to update the list of procedure codes exempt from the physician global surgery policy. Amends [405 IAC 1-12-21](#) to modify the Medicaid reimbursement rule for covered services provided by privately (nonstate) owned intermediate care facilities for the mentally retarded (ICFs/MR) licensed as a comprehensive rehabilitative management needs facility (CRMNF). Amends [405 IAC 1-12-27](#) to extend through June 30, 2017, the one percent rate reduction for covered services provided by privately (nonstate) owned intermediate care facilities for the mentally retarded (ICFs/MR) and community residential facilities for the developmentally disabled (CRFs/DD) that is currently set to expire on June 30, 2015. Amends [405 IAC 1-14.6-2](#) to update and add definitions. Amends [405 IAC 1-14.6-5](#) to add a penalty for untimely filing of the Checklist of Management Representations. Amends [405 IAC 1-14.6-7](#) to amend the case mix indices, inflation adjustment, and effective dates. Amends [405 IAC 1-14.6-9](#) to modify effective dates, substitute the language "total quality score" for "report card score", and modify the newly defined total quality score. Amends [405 IAC 1-14.6-18](#) to update beginning and end dates for allowable costs. Amends [405 IAC 1-14.6-24](#) to extend until June 30, 2017, the nursing facility quality assessment fee enhanced reimbursements and change the quality assessment provisions and to conform with applicable statutory provisions and the federal waiver. Amends [405 IAC 1-14.6-26](#) to modify the rate reduction for reimbursed nursing facilities. Amends [405 IAC 1-19-2](#) to revise the time period providers are required to notify the office of a change in ownership. Amends [405 IAC 1-20-2](#) to change mandatory language to permissive. Amends [405 IAC 5-24-6](#) to extend through June 30, 2017, the Medicaid dispensing fee maximum of three dollars and ninety cents that is currently set to expire on June 30, 2015. Amends [405 IAC 5-24-13](#) to revise and clarify the criteria for determining when legend and nonlegend water products are to be included in the nursing facility per diem rate and when they are to be reimbursed through the pharmacy benefit. Adds [405 IAC 5-24-14](#) to add criteria for determining when skin protectants, sealants, moisturizers, and ointments are to be included in the nursing facility per diem rate and when they are to be reimbursed through the pharmacy benefit. Amends [405 IAC 5-31-4](#) to revise the criteria for determining when legend and nonlegend water products are included in the nursing facility per diem rate and add criteria for determining when skin protectants, sealants, moisturizers, and ointments are to be included in the nursing facility per diem rate. Effective 30 days after filing with the Publisher. Statutory authority: [IC 12-15-1-10](#); [IC 12-15-21-1](#); [IC 12-15-21-2](#); [IC 12-15-21-3](#).

For purposes of [IC 4-22-2-28.1](#), the Small Business Regulatory Coordinator for this rule is:

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For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 4-4-35-8](#) is:

Erik Scheub
Office of Small Business and Entrepreneurship
One North Capitol, Suite 600
Indianapolis, IN 46204
(317) 232-5679
ombudsman@osbe.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 4-4-35-8](#), specifically [IC 4-4-35-8\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

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