

Notice of Intent to Adopt a Rule

LSA Document #17-342

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 1-4.2-2](#) to clarify policy language regarding a member's place of residence and to clarify that home health services cannot be limited to services furnished to members who are homebound. Amends [405 IAC 5-16-2](#) to add the requirement for documentation of a face-to-face encounter for home health services in accordance with 42 CFR 440.70(f). Amends [405 IAC 5-16-3](#) to add the requirement for therapy services to be ordered in writing in accordance with [405 IAC 5-22-6\(b\)\(1\)](#). Amends [405 IAC 5-16-3.1](#) to clarify therapy services must be ordered or prescribed in writing by a provider in accordance with [405 IAC 5-22-6\(b\)\(1\)](#), and to add that home health services are reimbursable only if the treating physician certifying the need for home health services documents that a face-to-face encounter with the individual occurred. Effective 30 days after filing with the Publisher. Statutory authority: [IC 12-15-1-10](#); [IC 12-15-5-11](#); [IC 12-15-21-2](#).

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

Chris Fletcher
Indiana Family and Social Services Administration
Office of Medicaid Policy and Planning
Indiana Government Center South
402 West Washington Street, Room W374
Indianapolis, IN 46204
(317) 234-4753
chris.fletcher@fssa.in.gov

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-6](#) is:

Katelyn Colclazier
Small Business Ombudsman
Indiana Economic Development Corporation
One North Capitol, Suite 700
Indianapolis, IN 46204
(317) 431-1560
kcolclazier@iedc.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-6](#), specifically [IC 5-28-17-6\(9\)](#), 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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