

Notice of Public Hearing
LSA Document #17-306**Notice of Public Hearing**

Under [IC 4-22-2-24](#), notice is hereby given that on February 8, 2018, at 10:00 a.m., at the Indiana Government Center South, 402 West Washington Street, Conference Center Room #14, Indianapolis, Indiana, the Office of the Secretary of Family and Social Services – Division of Office of Medicaid Policy and Planning will hold a public hearing on a proposed rule amending [405 IAC 5-5](#) to amend rules applying to out-of-state service providers.

The proposed rule will amend [405 IAC 5-5](#) to modify the regulatory barriers to out-of-state services in cases where this would prevent unnecessary hardship for the member. Areas would be designated as in-state in relation to prior authorization requirements and for purposes of reimbursement to increase access to medically necessary services in underserved areas or if transportation to an appropriate Indiana facility would cause undue expense or hardship to the member.

This rule will also remove the list provided under [405 IAC 5-5-1](#) because services are regulated throughout [405 IAC 1](#) and [405 IAC 5](#), thus the list is misleading. Moreover, benefits vary by Medicaid program and providers (in-state or out-of-state) should refer to those specific programs for coverage information. This rule is solely intended to grant authority for designating areas in-state for the purposes of reimbursement and prior authorization/utilization management; it does not pertain to coverage determinations. We are not restructuring or reducing benefits through this promulgation.

Pursuant to [IC 4-22-2-24\(d\)\(3\)](#), the Indiana Family and Social Services Administration (FSSA) – Office of Medicaid Policy and Planning (OMPP) has determined that changes to the current rules are necessary to reduce the regulatory barriers to out-of-state services in cases where this would prevent unnecessary hardship for the member. The proposed rule would reduce the distance Medicaid enrollees are required to travel to access specialized medical services. This rule amendment is intended to serve a public need by promoting access and reducing administrative burden to providers.

All parties interested in the proposed rule are invited to attend the public hearing and to offer public comments. In lieu of attendance at the public hearing, written comments may be sent to: FSSA, Attention: Jeremy Hoffman c/o Jeffrey Chapman, 402 W. Washington St., Room W451, Indianapolis, IN 46204. Correspondence should be identified in the following manner: "COMMENT RE: LSA Document #17-306, Out-of-State Services proposed rule." All written comments concerning the rule received by the FSSA – OMPP will be available for public inspection at FSSA's Office of General Counsel, Indiana Government Center South, 402 West Washington Street, Room W451, Indianapolis, Indiana.

Pursuant to [IC 4-22-2-24\(d\)](#), copies of the proposed rule and any data, studies, or analyses referenced in a justification of requirement or costs on regulated entities are available to be inspected and copied on the FSSA website at:

<http://www.in.gov/fssa/4543.htm>

Copies of these rules are now on file at the Indiana Government Center South, 402 West Washington Street, Room W451 and Legislative Services Agency, 100 North Senate Avenue, Room N201, Indianapolis, Indiana and are open for public inspection and copying.

Jennifer Walthall, M.D., M.P.H.
Secretary
Indiana Family and Social Services Administration

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