

Notice of Intent to Readopt

LSA Document #19-487

Readopts rules in anticipation of [IC 4-22-2.5-2](#), providing that an administrative rule adopted under [IC 4-22-2](#) expires January 1 of the seventh year after the year in which the rule takes effect unless the rule contains an earlier expiration date. Effective 30 days after filing with the Publisher.

OVERVIEW: Rules to be readopted without changes are as follows:

405 IAC 1-1-3.1	Providing services to members enrolled under the Medicaid spend-down provision
405 IAC 1-1-7	Nursing home rate setting; governing provisions
405 IAC 1-1-8	Level of care criteria for long-term care facilities; governing provisions
405 IAC 1-1-9	Nursing home admission; governing provisions
405 IAC 1-1-10	Intermediate care for the mentally retarded; governing provisions
405 IAC 1-1-11	Intermediate care of the mentally retarded; eligibility
405 IAC 1-1-12	Regular access authority to Medicaid division personal information system
405 IAC 1-1.6	Managed Care Provider Reimbursement Dispute Resolution
405 IAC 1-3	Criteria for Level of Care in Long Term Care Facilities
405 IAC 1-10.5-5	Health care-acquired conditions and other provider-preventable conditions
405 IAC 1-12-6	Active providers; rate review; annual request
405 IAC 1-12-8	Limitations or qualifications to Medicaid reimbursement; advertising; vehicle basis
405 IAC 1-12-10	Computation of rate; allowable costs; review of cost reasonableness
405 IAC 1-12-11	Allowable costs; services provided by parties related to provider
405 IAC 1-12-12	Allowable costs; capital return factor
405 IAC 1-12-13	Allowable costs; capital return factor; computation of use fee component; interest; allocation of loan to facilities and parties
405 IAC 1-12-14	Allowable costs; capital return factor; computation of return on equity component
405 IAC 1-12-16	Capital return factor; basis; historical cost; mandatory record keeping; valuation
405 IAC 1-12-17	Capital return factor; basis; sale or capital lease of facility; valuation; sale or lease among family members
405 IAC 1-12-18	Unallowable costs; cost adjustments; charity and courtesy allowances; discounts; rebates; refunds of expenses
405 IAC 1-12-20.5	Extensive support needs residences for adults; fair rental value allowance
405 IAC 1-14.6-8	Limitations or qualifications to Medicaid reimbursement; advertising; vehicle basis
405 IAC 1-14.6-13	Reporting of financing arrangements; working capital; interest; allocation of loans
405 IAC 1-14.6-14	Property; basis; historical cost; mandatory record keeping; valuation
405 IAC 1-14.6-15	Valuation; sale or lease among family members
405 IAC 1-14.6-17	Allowable costs; wages; costs of employment; record keeping; owner or related party compensation
405 IAC 1-17-3	Accounting records; retention schedule; audit trail; cash basis; segregation of accounts by nature of business and by location
405 IAC 1-17-5	New provider; initial financial report to office; criteria for establishing initial rates; supplemental report
405 IAC 1-17-6	Active providers; rate review; annual request; additional requests; requests due to change in law
405 IAC 1-17-8	Limitations or qualifications to Medicaid reimbursement; advertising
405 IAC 1-17-9	Criteria limiting rate adjustment granted by office
405 IAC 1-17-10	Computation of rate; allowable costs; review of cost reasonableness
405 IAC 1-17-11	Allowable costs; capital reimbursement; depreciable life
405 IAC 1-17-12	Capital reimbursement; basis; historical cost; mandatory record keeping; valuation
405 IAC 1-17-13	Unallowable costs; cost adjustments; charity and courtesy allowances; discounts; rebates; refunds of expenses

405 IAC 1-17-14	Allowable costs; wages; costs of employment; record keeping; owner or related party compensation
405 IAC 1-17-15	Allowable costs; calculation of allowable owner or related party compensation; wages; salaries; fees; fringe benefits
405 IAC 1-17-16	Allocation of costs
405 IAC 1-19-1	Information to be disclosed
405 IAC 1-20-3	Change of ownership types
405 IAC 1-20-5	Record retention
405 IAC 1.1	APPEAL PROCEDURES FOR APPLICANTS AND RECIPIENTS OF MEDICAID
405 IAC 2	MEDICAID RECIPIENTS; ELIGIBILITY
405 IAC 5-2-1	Applicability
405 IAC 5-2-7	"CPT" defined
405 IAC 5-2-7.1	"Curative care services" defined
405 IAC 5-2-10	"EPSDT" defined
405 IAC 5-2-10.1	"Hospice" defined
405 IAC 5-2-10.2	"Hospice program" defined
405 IAC 5-2-13.1	"IEP" defined
405 IAC 5-2-13.3	"IEP transportation services" defined
405 IAC 5-2-26	"School corporation" defined
405 IAC 5-3-3	Prior authorization based on false information
405 IAC 5-8-1	Reimbursement
405 IAC 5-9-3	Office visits exceeding established parameters
405 IAC 5-10-2	"Anesthetist" defined
405 IAC 5-10-4	Anesthesia administered during labor/delivery
405 IAC 5-12-4	Laboratory services
405 IAC 5-12-5	Muscle testing services
405 IAC 5-12-7	Durable medical equipment
405 IAC 5-13-4	Services included in the per diem rate for large state ICFs/MR; exceptions
405 IAC 5-13-5	Prior authorization for services rendered outside the large state ICF/MR
405 IAC 5-14-8	Extractions
405 IAC 5-14-9	Space maintenance
405 IAC 5-14-11	Analgesia
405 IAC 5-14-12	Infection control
405 IAC 5-14-13	Emergency treatment of dental pain
405 IAC 5-14-14	Office visits
405 IAC 5-14-16	Periodontics; surgical
405 IAC 5-14-17	Oral surgery
405 IAC 5-15-5	Prior authorization
405 IAC 5-15-7	Screening referrals
405 IAC 5-15-8	EPSDT periodicity and screening schedule
405 IAC 5-16-4	Rehabilitation center services; limitations
405 IAC 5-17-3	Emergency; weekend inpatient admissions
405 IAC 5-18-1	Clinical diagnostic laboratory services; reimbursement
405 IAC 5-18-2	Reimbursement restrictions
405 IAC 5-19-10	Braces and orthopedic shoes
405 IAC 5-20-6	Emergency admissions
405 IAC 5-21.5-16	Diagnosis; individualized integrated care plan
405 IAC 5-21.6-1	General provisions
405 IAC 5-22-4	Certified nurse practitioner services
405 IAC 5-22-5	Audiology, occupational, and physical therapy and speech pathology; reimbursement
405 IAC 5-23-1	Reimbursement limitations
405 IAC 5-23-6	Prior authorization
405 IAC 5-24-10	Medical and nonmedical supply items for long term care facility residents
405 IAC 5-24-12	Risk-based managed care
405 IAC 5-25-3	Physician's written order, plan of treatment; when required

405 IAC 5-25-5	Inpatient services; reimbursement limitations
405 IAC 5-26-1	Scope
405 IAC 5-26-3	Routine foot care; restrictions
405 IAC 5-26-4	Laboratory or x-ray services
405 IAC 5-26-9	Surgical procedures; reimbursement
405 IAC 5-27	Radiology Services
405 IAC 5-28-2	Medical diagnostic procedures
405 IAC 5-28-3	Cardiac pacemaker
405 IAC 5-28-6	Monitoring of pacemakers
405 IAC 5-28-7	Abortion
405 IAC 5-28-11	Hyperbaric oxygen therapy
405 IAC 5-30-1.5	Reimbursement rates for transportation services
405 IAC 5-30-11	IEP transportation services
405 IAC 5-31-6	Personal care items
405 IAC 5-31-7	Limitations on nursing services
405 IAC 5-32	Rehabilitation Units
405 IAC 5-33	Acute Care Hospital Admission
405 IAC 5-35	Case Management Services for Infants and Toddlers with Disabilities
405 IAC 5-36-2	Requirements for the provision of DSMT

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to the Small Business Regulatory Coordinator for this rule (see [IC 4-22-2-28.1](#)):

Chelsea Princell
Office of General Counsel
Indiana Family and Social Services Administration
Indiana Government Center South
402 West Washington Street, Room W451
Indianapolis, IN 46204
(317) 232-1161
chelsea.princell@fssa.in.gov

Statutory authority: [IC 12-8-6.5-5](#); [IC 12-13-5-3](#); [IC 12-15-1-10](#); [IC 12-15-1-15](#); [IC 12-15-13-6](#); [IC 12-15-21-2](#); [IC 12-15-21-3](#).

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.

Posted: 09/18/2019 by Legislative Services Agency
An [html](#) version of this document.