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**TITLE 460 DIVISION OF DISABILITY, AGING, AND  
REHABILITATIVE SERVICES**

**Proposed Rule**  
LSA Document #03-180

**DIGEST**

Amends 460 IAC 3.5-1-1 and 460 IAC 3.5-2-1 to revise the definitions of adult day services and the reimbursement rates for adult day services paid by the division of disability, aging, and rehabilitative services to approved providers. The update may include a mechanism for calculating rates. Adult day services are provided to eligible individuals with a developmental disability. Effective 30 days after filing with the secretary of state.

**460 IAC 3.5-1-1**

**460 IAC 3.5-2-1**

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~~ services.

(B) Community based sheltered ~~work~~ employment services.

(C) Facility based sheltered ~~work~~ employment services.

**(D) Community habilitation and participation – community based group.**

**(E) Community habilitation and participation – community based individual.**

~~(F) group~~ **(F) Community habilitation and participation – facility based group.**

~~(F) individual~~ **(G) Community habilitation and participation – facility based individual.**

~~(F) group~~ **(H) Occupational therapy services – group.**

~~(G) individual~~ **(I) Occupational therapy services – individual.**

~~(H) group~~ **(J) Physical therapy services – group.**

~~(H) individual~~ **(K) Physical therapy services – individual.**

~~(J) group speech~~ **(L) Speech-language therapy services – group.**

~~(K) individual speech~~ **(M) Speech-language therapy and services – individual.**

~~(H)~~ **(N) Transportation services.**

**(O) Prevocational services.**

(3) "Developmental disability" has the meaning set forth in IC 12-7-2-61.

(4) "Division" means the division of disability, aging, and rehabilitative services.

(5) "Provider" means community mental retardation and other developmental disabilities centers, as defined in IC 12-7-2-39, under contract with the division to provide adult day services to individuals with developmental disabilities.

(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.

(Division of Disability, Aging, 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)

SECTION 2. 460 IAC 3.5-2-1 IS AMENDED TO READ AS FOLLOWS:

**460 IAC 3.5-2-1 Unit of service 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:

**RATES FOR ADULT DAY SERVICES PROVIDED BY COMMUNITY MENTAL RETARDATION  
AND OTHER DEVELOPMENTAL DISABILITIES  
CENTERS**

Adult Day Service	Unit of Service	Unit Rate
Supported employment <del>follow-along services</del>	1 hour	<del>\$36.95</del> <b>\$36.96</b>
Community based sheltered <del>work</del> <b>employment services</b>	1 hour	\$5.67
<b>Facility based</b> sheltered <del>work</del> <b>employment services</b>	1 hour	\$2.75
<b>Community habilitation and participation – community based group</b>	<b>1 hour</b>	<b>\$6.68</b>
<b>Community habilitation and participation – community based individual</b>	<b>1 hour</b>	<b>\$28.82</b>
<del>Group</del> <b>Community habilitation and participation – facility based group</b>	1 hour	\$5.34
<del>Individual</del> <b>Community habilitation and participation – facility based individual</b>	1 hour	<del>\$28.82</del> <b>\$27.58</b>
<del>Group</del> Occupational therapy <b>services – group</b>	15 minutes	\$5.04
<del>Individual</del> Occupational therapy <b>services – individual</b>	15 minutes	<del>\$20.13</del> <b>\$17.99</b>
<del>Group</del> Physical therapy <b>services – group</b>	15 minutes	\$5.87
<del>Individual</del> Physical therapy <b>services – individual</b>	15 minutes	<del>\$23.49</del> <b>\$18.12</b>
<del>Group speech</del> <b>Speech-language therapy services – group</b>	15 minutes	\$4.24
<del>Individual speech</del> <b>Speech-language therapy services – individual</b>	15 minutes	<del>\$16.97</del> <b>\$18.12</b>
Transportation <b>services</b>	1 round trip	\$8.91
<b>Prevocational services</b>	<b>15 minutes</b>	<b>\$1.20</b>

(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	\$5.43	\$5.67
Group habilitation	1 hour	\$5.11	\$5.11	\$5.34
Individual habilitation	1 hour	\$27.58	\$27.58	\$28.82

(Division of Disability, Aging, 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)

**Notice of Public Hearing**

Under IC 4-22-2-24, notice is hereby given that on October 28, 2003 at 1:00 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room B, Indianapolis, Indiana the Division of Disability, Aging, and Rehabilitative Services will hold a public hearing on a proposed amendment concerning definitions of adult day services and the reimbursement rates for adult day services paid by the division of disability, aging, and rehabilitative services to approved providers. If an accommodation is required to allow an individual with a disability to participate in this meeting, please contact Kevin Wild at (317) 233-2582 at least 48 hours prior to the meeting. Copies of these

*rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Room W451 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.*

Steven C. Cook  
Director  
Division of Disability, Aging, and Rehabilitative Services