

Notice of Intent to Adopt a Rule

LSA Document #19-602

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 2-1-1](#), [405 IAC 2-1-2](#), [405 IAC 2-1-3](#), [405 IAC 2-1.1-1](#), and [405 IAC 2-1.1-5](#) to update definitions and terminology. Amends [405 IAC 2-1.1-7](#) to update definitions and terminology and add criteria for post-eligibility treatment of income for members receiving home and community based service waivers. Adds [405 IAC 2-1.1-10](#) to create eligibility criteria for end stage renal disease (ESRD) services for members that are not otherwise eligible under the Medicaid state plan. Amends [405 IAC 2-2-1](#) and [405 IAC 2-2-2](#) to update definitions and terminology. Adds [405 IAC 2-2-5](#) to implement new Medicaid financial eligibility requirements under modified adjusted gross income standards. Amends [405 IAC 2-3-1.1](#), [405 IAC 2-3-1.2](#), [405 IAC 2-3-2](#), and [405 IAC 2-3-4](#) to update definitions and terminology. Amends [405 IAC 2-3-12](#) to update the real property resource criteria for purposes of determining eligibility. Amends [405 IAC 2-3-14](#), [405 IAC 2-3-17](#), and [405 IAC 2-3-22](#) to update definitions and terminology. Amends [405 IAC 2-3-23](#) to conform to the most current supplemental security income (SSI) policies. Amends [405 IAC 2-3-24](#) to update definitions and terminology. Adds [405 IAC 2-3-25](#) to conform to state law at [IC 12-15-3-8](#) regarding college savings accounts. Amends [405 IAC 2-3.2-1](#), [405 IAC 2-3.2-6](#), and [405 IAC 2-3.3-1](#) to update definitions and terminology. Adds [405 IAC 2-3.4](#) to set forth the requirements for presumptive eligibility determinations for other qualified providers. Amends [405 IAC 2-4-1](#) to update definitions and terminology. Adds [405 IAC 2-4-2](#) and [405 IAC 2-4-3](#) to clarify policy regarding funeral and burial expenses. Adds [405 IAC 2-6-3](#) to establish a Medicaid eligibility category for former foster care children. Amends [405 IAC 2-8-1](#), [405 IAC 2-8-1.1](#), [405 IAC 2-8-2](#), [405 IAC 2-9-1](#), [405 IAC 2-9-2](#), [405 IAC 2-9-3](#), [405 IAC 2-9-4](#), [405 IAC 2-9-5](#), [405 IAC 2-9-6](#), [405 IAC 2-9-7](#), [405 IAC 2-9-8](#), and [405 IAC 2-10](#) to update definitions and terminology. Adds [405 IAC 5-39](#) to establish ESRD services for members that are not otherwise eligible under the Medicaid state plan. Effective 30 days after filing with the Publisher. Statutory authority: [IC 12-13-7-3](#); [IC 12-15-1-10](#); [IC 12-15-1-15](#); [IC 12-15-2.3-12](#); [IC 12-15-8.5](#); [IC 12-15-21-2](#).

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

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Office of Medicaid Policy and Planning
Indiana Government Center South
402 West Washington Street, Room W374
Indianapolis, IN 46204
(317) 234-9657
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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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