
Notice of Rule Adoption

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #00-277

Under IC 12-8-3-4.4, LSA Document #00-277, printed at 24 IR 4126, which amends 405 IAC 1-14.6 and 405 IAC 1-15 to revise the case mix reimbursement methodology the Medicaid program utilizes to reimburse for therapy services provided to residents of nursing facilities; revises cost definitions and rate setting parameters; and other minor technical clarifications and corrections, was adopted by the Office of the Secretary of Family and Social Services on October 3, 2001. The rule which was adopted is a different version as the proposed rule which was published in the Indiana Register on September 1, 2001.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #01-58

Under IC 12-8-3-4.4, LSA Document #01-58, printed at 24 IR 2518, which amends 405 IAC 5-2-17 to clarify definition of medical necessity; amends 405 IAC 5-7-1 to clarify policy regarding suspension of incomplete prior authorization requests; amends 405 IAC 5-8-3 to clarify consultations policy. Amends 405 IAC 5-19 to revise policy and coverage for orthopedic shoes and corrective features. Amends 405 IAC 5-37-3 to add dentists to the list of practitioners that may provide smoking cessation counseling services. Makes additional technical conforming changes, was adopted by the Office of the Secretary of Family and Social Services on August 13, 2001. The rule which was adopted is a different version as the proposed rule which was published in the Indiana Register on May 1, 2001.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #01-172

Under IC 12-8-3-4.4, LSA Document #01-172, printed at 24 IR 3179, which amends 405 IAC 1-12-24 to assess community residential facilities for the developmentally disabled (CRFs/DD) and intermediate care facilities for the mentally retarded (ICFs/MR) not operated by the State in an amount not to exceed ten percent (10%) of annual gross residential services revenue of the facility for the facility's preceding fiscal year was adopted by the Office of the Secretary of Family and Social Services on August 6, 2001. The rule which was adopted is the same version as the proposed rule which was published in the Indiana Register on July 1, 2001.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #01-214

Under IC 12-8-3-4.4, LSA Document #01-214, printed at 24 IR 3756, which amends 405 IAC 5-31-8 to eliminate bed hold days for Medicaid certified and enrolled nursing facilities with less than ninety percent (90%) occupancy was adopted by the Office of the Secretary of Family and Social Services on September 10, 2001. The rule which was adopted is a different version than the proposed rule which was published in the Indiana Register on August 1, 2001.

TITLE 440 DIVISION OF MENTAL HEALTH AND ADDICTION

NOTE: Under P.L.215-2001, SECTION 54, the name of the Division of Mental Health is changed to Division of Mental Health and Addiction, effective July 1, 2001.

LSA Document #01-53

LSA Document #01-53, printed at 24 IR 3756, adds 440 IAC 9-2-4, 440 IAC 9-2-5, and 440 IAC 9-2-6 to establish standards and requirements for community mental health centers and certified managed care providers regarding acute stabilization, day treatment, and services to prevent unnecessary and inappropriate treatment and hospitalization and the deprivation of a person's liberty as part of the required continuum of care for persons needing addiction services, persons with serious mental illness, or children with serious emotional disorders. The rule was adopted by the Director of the Division of Mental Health and Addiction, Janet Corson, on September 7, 2001. The rule that was adopted is identical to the proposed rule which was published in the Indiana Register on August 1, 2001.

TITLE 470 DIVISION OF FAMILY AND CHILDREN

LSA Document #01-60

Under IC 12-8-3-4.4, LSA Document #01-60, printed at 24 IR 2570, readopts rules in anticipation of IC 4-22-2.5-2, providing that all rules of Indiana administrative agencies in force on December 31, 1995, expire on January 1, 2002. Amends 470 IAC 2-5-1 by updating division and program titles in child support definitions, repealing subdivision (7) as unnecessary, and eliminating reference to repealed Indiana Code sections. Amends 470 IAC 2-5-2 and 470 IAC 2-5-3 by updating division and program titles and eliminating reference to repealed Indiana Code sections. Repeals 470 IAC 2-5-4 as duplicating 45 CFR 302.33 (services to individuals not receiving Title IV-A or Title

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IV-E-foster care assistance). Amends 470 IAC 2-5-5 by updating division and program titles, adding (a) and (b) to replace safeguards to information from users of parent locator and child support services, which were in repealed 45 CFR 303.21, and eliminating reference to repealed Indiana Code sections. Amends 470 IAC 2-5-6 and 470 IAC 2-5-7 by updating titles and eliminating reference to repealed Indiana Code sections. Repeals 470 IAC 2-5-8 as duplicating IC 12-17-2-26 (incentive payments for enforcing and collecting support rights). Repeals 470 IAC 2-5-9 as duplicative due to proposed changes to 470 IAC 2-5-5. Amends 470 IAC 2-5-10 by updating titles and eliminating reference to repealed Indiana Code sections. Repeals 470 IAC 2-5-11 as no longer necessary due to the repeal of 470 IAC 2-5-1(7). Amends 470 IAC 2-5-12, 470 IAC 2-5-13, and 470 IAC 2-5-14 by updating titles and eliminating reference to repealed Indiana Code sections. Amends

470 IAC 2-5-15 by updating terminology, rephrasing, and reorganizing to clarify recoupment of overpayments by offset procedures. Repeals 470 IAC 2-5-16, 470 IAC 2-5-17, and 470 IAC 2-5-18 as not relevant to Title IV-D, Child Support. Repeals 470 IAC 2-5-19 as covered in 470 IAC 1-4 (administrative appeals). Amends 470 IAC 2-5-20 by updating titles and eliminating reference to repealed Indiana Code sections. Repeals 470 IAC 2-5-21 as replaced by IC 31-16-15-10(b)(9) (notice to income payor of activation order; pro rata distribution). Amends 470 IAC 2-5-22 to reflect IC 12-17-2-21 (support-related duties of bureau) was adopted by the Office of Director of Family and Children on July 17, 2001. The rule which was adopted is the same version as the proposed rule which was published in the Indiana register on May 1, 2001.
