
Notice of Intent to Adopt a Rule

TITLE 52 INDIANA BOARD OF TAX REVIEW

LSA Document #02-206

Under IC 4-22-2-23, the Indiana Board of Tax Review intends to adopt a rule concerning the following:

OVERVIEW: Under IC 6-1.5-6-1, the Indiana Board of Tax Review intends to adopt rules to govern the practice of tax representatives in proceedings before the Indiana Board of Tax Review. The Indiana Board of Tax Review invites written suggestions, facts, arguments, or views in these matters. Questions or comments may be directed to Annette Biesecker, Chairman, Indiana Board of Tax Review, at 232-3753. Statutory authority: IC 6-1.5-6-1.

TITLE 52 INDIANA BOARD OF TAX REVIEW

LSA Document #02-215

Under IC 4-22-2-23, the Indiana Board of Tax Review intends to adopt a rule concerning the following:

OVERVIEW: Pursuant to IC 6-1.5-6-1, the Indiana Board of Tax Review intends to adopt rules to govern the practice of representatives in proceedings before the Indiana Board of Tax Review. The Indiana Board of Tax Review invites written suggestions, facts, arguments, or views in these matters. Questions or comments may be directed to Bill Waltz, Commissioner, Indiana Board of Tax Review, at 232-3783. Statutory authority: IC 6-1.5-6-1.

TITLE 80 STATE FAIR COMMISSION

LSA Document #02-200

Under IC 4-22-2-23, the State Fair Commission intends to adopt a rule concerning the following:

OVERVIEW: Amends 80 IAC 4-3-3 to include an electric personal assistive mobility device within the definition of a motorized cart. Amends 80 IAC 4-3-5 to exclude a person who uses such a device upon the fairgrounds from certain proof of insurance requirements. Comments may be sent to the Indiana State Fair Commission, ATTENTION: Sunni Kolombus, 1220 East 38th Street, Indianapolis, Indiana 46205-2869 or by electronic mail to skolombus@IndianaStateFair.com. Statutory authority: IC 15-1.5-2-8; P.L. 143-2002, SECTION 10.

TITLE 312 NATURAL RESOURCES COMMISSION

LSA Document #02-201

Under IC 4-22-2-23, the Natural Resources Commission intends to adopt a rule concerning the following:

OVERVIEW: Amends 312 IAC 18-3-12 that governs the standards for the control of larger pine shoot beetle by adding Bartholomew, Franklin, Monroe, Morgan, and Putnam Counties to the quarantine area. Public questions and comments may be sent to the following address: Division of Hearings, Natural Resources Commission, 402 West Washington Street, Room W272, Indianapolis, Indiana 46204. As alternatives, questions or comments may be made by telephone at (317) 232-4699 or by e-mail at jkane@dnr.state.in.us. Statutory authority: IC 14-10-2-4; IC 14-24-3.

TITLE 312 NATURAL RESOURCES COMMISSION

LSA Document #02-202

Under IC 4-22-2-23, the Natural Resources Commission intends to adopt a rule concerning the following:

OVERVIEW: Amends 312 IAC 18-3-8 that governs the standards for the control of black stem rust by adding new varieties to the list of rust-resistant Berberis, Mahoberberis, and Mahonia species. Public questions and comments may be sent to the following address: Division of Hearings, Natural Resources Commission, 402 West Washington Street, Room W272, Indianapolis, Indiana 46204. As alternatives, questions or comments may be made by telephone at (317) 232-4699 or by e-mail at jkane@dnr.state.in.us. Statutory authority: IC 14-10-2-4; IC 14-24-3.

TITLE 405 OFFICE OF THE SECRETARY OF FAMILY AND SOCIAL SERVICES

LSA Document #02-207

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 5 to add all water products classified as drugs (legend and nonlegend), including, but not limited to, sterile water and saline, to a Medicaid-enrolled nursing facility's per diem rate. Makes other conforming changes. Statutory authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2.

**TITLE 405 OFFICE OF THE SECRETARY OF
FAMILY AND SOCIAL SERVICES**

LSA Document #02-208

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: Adds provisions affecting providers and recipients of assisted living services under the Medicaid waiver program authorized by Public Law 100-2000. Statutory authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2.

**TITLE 405 OFFICE OF THE SECRETARY OF
FAMILY AND SOCIAL SERVICES**

LSA Document #02-209

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: Adds provisions affecting providers and recipients of adult foster care under the Medicaid waiver program authorized by Public Law 100-2000. Statutory authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2.

**TITLE 405 OFFICE OF THE SECRETARY OF
FAMILY AND SOCIAL SERVICES**

LSA Document #02-214

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 1-16-2 to specify the payment level for hospice services on the date that an individual is discharged from inpatient or respite hospice care. Amends 405 IAC 1-16-4 to specify that, in order to receive Medicaid reimbursement for room and board for nursing home residents receiving hospice services, the hospice must have a written agreement with the nursing facility. Amends 405 IAC 5-34 to specify documentation requirements for Medicaid hospice providers and the procedures for obtaining authorization for hospice services. Amends 405 IAC 5-34 to provide for retrospective audit of hospice services, including review for medical necessity. Amends 405 IAC 5-34-1 to specify that the hospice provider must provide all services in compliance with the Medicaid provider agreement, the appropriate provider manual and all other Medicaid policy documents issued to provider at the time services were rendered, and any applicable state or federal statute or regulations. Amends 405 IAC 5-34-2 to specify licensure and certification requirements for Medicaid

hospice providers. Amends 405 IAC 5-34-3 to specify the requirements for Medicaid reimbursement for hospice services provided by out of state hospice providers. Adds 405 IAC 5-34-4.1 regarding appeals of hospice authorization determinations. Statutory authority: IC 12-8-6-5; IC 12-15-1-10; IC 12-15-21-2; IC 12-15-40-8.

**TITLE 431 COMMUNITY RESIDENTIAL
FACILITIES COUNCIL**

LSA Document #02-211

Under IC 4-22-2-23, the Community Residential Facilities Council intends to adopt a rule concerning the following:

OVERVIEW: The intent and scope of this rule will be to establish standards for the approval of entities providing supported living services to eligible individuals with a developmental disability. Statutory authority: IC 12-28-5-10(4); IC 12-28-5-19.

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

LSA Document #02-210

Under IC 4-22-2-23, the Division of Disability, Aging, and Rehabilitative Services intends to adopt a rule concerning the following:

OVERVIEW: The intent and scope of this rule will be to establish standards and requirements for individualized support plans for eligible individuals with a developmental disability. All services and supports for an eligible individual must be provided under an individualized support plan developed for each individual. Statutory authority: IC 12-8-8-4; IC 12-9-2-3; IC 12-11-2.1-3; IC 12-11-2.1-12.

TITLE 470 DIVISION OF FAMILY AND CHILDREN

LSA Document #02-203

Under IC 4-22-2-23, the Division of Family and Children intends to adopt a rule concerning the following:

OVERVIEW: Amends 470 IAC 11.1-1-5 to update the income standards for the hospital care for the indigent (HCI) program. Statutory authority: IC 12-13-2-3; IC 12-13-5-3; IC 12-16-3-3.

TITLE 515 PROFESSIONAL STANDARDS BOARD

LSA Document #02-212

Under IC 4-22-2-23, the Professional Standards Board intends to adopt a rule concerning the following:

OVERVIEW: Amends 515 IAC 1-4-1 and 515 IAC 1-4-2 to change the testing requirements for certain Indiana teaching licenses. Public comments are invited and may be directed to Marie Theobald, Executive Director, Indiana Professional Standards Board, 101 West Ohio Street, Indianapolis, Indiana 46204. Statutory authority: IC 20-1-1.4-7.

TITLE 872 INDIANA BOARD OF ACCOUNTANCY

LSA Document #02-213

Under IC 4-22-2-23, the Indiana Board of Accountancy intends to adopt a rule concerning the following:

OVERVIEW: Establish that credit hours taken to comply with the educational requirements in IC 25-2.1-3-2 cannot be duplicated. Add a licensing fee for a letter of verification of a certificate of registration to another state. Revise the examination used for accounting practitioners to comply with IC 25-2.1-6-1. Incorporate by reference the 2001 pronouncements on professional standards of the American Institute of Certified Public Accountants (to apply to certified public accountants) and 2001 rule of professional conduct of the National Society of Public Accountants (to apply to accounting practitioners and public accountants). Establish that continuing professional education hours obtained to renew a lapsed certificate cannot be double counted by using the hours for credit for renewal at the end of the reporting period. Establish the requirements for substantial equivalency. Questions or comments concerning the proposed rules may be directed to: Indiana Professional Licensing Agency, ATTENTION: Staff Counsel, 302 West Washington Street, Room E034, Indianapolis, Indiana 46204-2700. Statutory authority: IC 25-2.1-2-15; IC 25-2.1-4-6; IC 25-8-1-2.
