TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control No: 560 . Department or Agency: Alabama Medicaid Agency
Rule No:560-X-5701
Rule Title: Authority and Purpose New Rule; X Amend; Repeal; Adoption by Reference
Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?
Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?
Is there another, less restrictive method of regulation available that could adequately protect the public?
Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?
Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? ***********************************
Does the proposed rule have any economic impact?no
If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fisca note prepared in accordance with subsection (f) of Section 41-22-23, <u>Code of Alabama 1975</u> .
Certification of Authorized Official
I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, <u>Code of Alabama 1975</u> and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.
Signature of certifying officer: Stephanie Andray
Date: 4/201/2

PUBLISHED IN VOLUME ISSUE NO
EDITED AND APPROVED BY DOCUMENT NO

ALABAMA MEDICAID AGENCY

NOTICE OF INTENDED ACTION

RULE NO. & TITLE: 560-X-57-.01 Authority and Purpose

INTENDED ACTION: Amend 560-X-57-.01 SAIL Waiver

SUBSTANCE OF PROPOSED ACTION: The above referenced rule is being amended to update the initial wavier period according to CMS guidelines.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written or oral comments may be submitted to the Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624. Agency business hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Written/Oral comments concerning this change must be received by the Alabama Medicaid Agency no later than June 5, 2012.

<u>CONTACT PERSON AT AGENCY:</u> Stephanie Lindsay, Administrative Secretary, Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624.

R. Bob Mullins, Jr., MD

Commissioner

Chapter 57. Home and Community-Based Services for the State of Alabama Independent Living (SAIL) Waiver.

Rule No. 560-X-57-.01. Authority and Purpose.

- (1) Home and community-based services for the SAIL Waiver are provided by the Alabama Medicaid Agency to disabled individuals who would otherwise require institutionalization in a nursing facility. These services are provided through a Medicaid waiver under the provisions of Section 1915(c) of the Social Security Act for an initial period of three five years and for five year periods thereafter upon renewal of the waiver by the Centers for Medicare and Medicaid Services.
- (2) The purpose of providing home and community-based services to individuals at risk of institutional care is to protect the health, safety, and dignity of those individuals while reducing Medicaid expenditures for institutional care.

Author: Renee R. Adams, Administrator, LTC Program Management Unit Statutory Authority: Section 1915(c) Social Security Act; 42 CFR 441, Subpart G. History: Emergency Rule effective April 1, 1992. Effective date of this Rule is June 12, 1992. Effective date of this amendment is October 12, 1996. Amended: Filed April 21, 2003; effective July 16, 2003. Amended: Filed April 20, 2012.