

APA-1

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No: 560 . Department or Agency: Alabama Medicaid Agency .

Rule No: 560-X-25-.02

Rule Title: Administrative Responsibilities  
         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?         no        

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?         yes        

Is there another, less restrictive method of regulation available that could adequately protect the public?         no        

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?         no        

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?         no        

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?         yes        

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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 fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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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, Code of Alabama 1975 and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer: Stephanie Lindsay

Date: 12-17-2013

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**ALABAMA MEDICAID AGENCY**

**NOTICE OF INTENDED ACTION**

**RULE NO. & TITLE:** 560-X-25-.02 Administrative Responsibilities

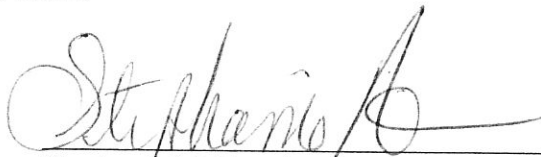
**INTENDED ACTION:** Amend 560-X-25-.02

**SUBSTANCE OF PROPOSED ACTION:** The above referenced rule is being amended to allow the Alabama Department of Public Health (ADPH) employees the authority to determine Medicaid eligibility of individuals qualifying for various forms of assistance in accordance with Title XIX of the Act.

**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 February 4, 2014.

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



Stephanie McGee Azar  
Acting Commissioner

**Rule No. 560-X-25-.02. Administrative Responsibilities.**

(1) The Alabama Medicaid Agency determines eligibility for individuals for the following programs:

(a) All Medicaid programs in accordance with Title XIX of the Act except those listed in (2) and (3) below; and,

(b) Low Income Subsidy (LIS) under Medicare Part D in accordance with the rules under the Medicare Prescription Drug, Improvement and Modernization Act of 2003 (MMA).

(2) The Social Security Administration determines the eligibility of individuals for Supplemental Security Income under Title XVI of the Act.

(3) The Alabama Department of Human Resources determines Medicaid eligibility of individuals qualifying for various forms of assistance in accordance with Titles IV-A, IV-E, and XIX of the Act.

(4) The Alabama Department of Public Health determines Medicaid eligibility of individuals qualifying for various forms of assistance in accordance with Title XIX of the Act.

**Author:** Denise Banks, Medicaid Administrator I, Policy, Training, and Operational Readiness Division

**Statutory Authority:** Social Security Act, Titles XVI and XIX; and Sections 1860D-14, 1902(a)(66), 1905(p)(3), and 1935(a); 20 CFR 416, 42 CFR 423.774, 423.904, and 42 CFR 435; and the State Plan.

**History:** Rule effective October 1, 1982. **Amended:** Filed November 18, 2005; effective February 15, 2006. **Amended:** Filed December 17, 2013