

APA-1

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No: 560 Department or Agency: Alabama Medicaid Agency

Rule No: 560-X-1-.02

Rule Title: Laws and Publications Applicable to Medicaid

_____ 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

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.

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: 6/20/2015

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EDITED AND APPROVED BY _____ DOCUMENT NO. _____

ALABAMA MEDICAID AGENCY

NOTICE OF INTENDED ACTION

RULE NO. & TITLE: 560-X-1-.02 Laws and Publications Applicable to Medicaid.

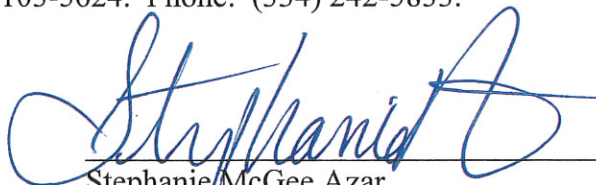
INTENDED ACTION: Amend 560-X-1-.02.

SUBSTANCE OF PROPOSED ACTION: The above referenced rule is being amended to include the Alabama Medicaid Provider Manual as one of the legal authorities under which the Medicaid Program is operated.

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 August 4, 2016.

CONTACT PERSON AT AGENCY: Stephanie Lindsay, Administrative Secretary, Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624. Phone: (334) 242-5833.


Stephanie McGee Azar
Commissioner

Rule No. 560-X-1-.02 Laws and Publications Applicable to Medicaid.

The legal authorities under which the Medicaid Program is operated are:

- (1) Title XIX of the Social Security Act as amended.
- (2) 42 C.F.R. Section 430, et seq.
- (3) 45 C.F.R. Section 205, et seq.
- (4) Alabama Executive Order No. 8, dated June 30, 1967, Executive Order No. 32, dated February 17, 1972, Executive Order No. 81, dated June 16, 1977, Executive Order No. 83, dated September 26, 1977, and Executive Order No. 38, dated March 2, 1981.
- (5) Alabama State Plan for Medical Assistance under Title XIX of the Social Security Act, as approved by the Federal Department of Health and Human Services.
- (6) Section 1634, Public Law 92-603.
- (7) Code of Alabama, 1975 Sec. 22-6-1, 27-14-11,1, 35-1-2, 36-13-8, and 36-13-9, et seq.
- (8) Title VI of the Civil Rights Act of 1964, as amended.
- (9) Section 504 of the Rehabilitation Act of 1973, as amended.
- (10) The Age Discrimination Act of 1975.
- (11) Alabama Medicaid Agency Administrative Code.
- (12) Alabama Medicaid Provider Manual.
- (13) Provider Notices and Alerts.
- (14) Clinical Laboratory Improvement Amendments of 1988 (CLIA), P.L. 100-578 (42 U.S.C. Section 263a).

Author: Theresa Richburg, Director, Medical Services Division.

Authority: All regulations cited above. Amended June 27, 1983; Amended January 13, 1993, based on OBRA '90, Section 1927.

History: Effective date of this amendment: May 13, 1993. Amended: Filed September 11, 2013; effective October 16, 2013. Amended: Filed June 20, 2016.