

APA-1

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

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

Rule No: 560-X-62-.02

Rule Title: Active Supervision of Collaborations.

X New Rule; _____ 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: 10/21/13

FOR APD USE ONLY

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ALABAMA MEDICAID AGENCY

NOTICE OF INTENDED ACTION

RULE NO. & TITLE: 560-X-62-.02 Active Supervision of Collaborations

INTENDED ACTION: Add New Rule 560-X-62-.02

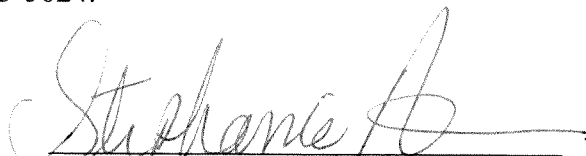
SUBSTANCE OF PROPOSED ACTION:

The above referenced rule is being created to comply with the Code of Alabama, 1975 Section 22-6-150, et seq. This rule is being added to Chapter 62 to the Alabama Administrative Code which addresses Regional Care Organizations (RCOs) created by Code of Alabama, 1975 Section 22-6-150 et seq. The new rule sets forth the requirements for the Medicaid Agency to actively monitor and supervise the collective negotiations, bargaining, and cooperation among Collaborators that have been issued Certificates to Collaborate by the Medicaid Agency and RCOs in accordance with Section 22-6-150 et seq and Alabama Administrative Code Rule 560-X-62-.01.

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 December 5, 2013.

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-62-.02 Active Supervision Of Collaborations. NEW RULE.

(1) The Medicaid Agency shall actively monitor and supervise the collective negotiations, bargaining, and cooperation among Collaborators that have been issued Certificates to Collaborate by the Medicaid Agency and Regional Care Organizations (RCOs) in accordance with Sections 22-6-150, *et seq.* of the Alabama Code. Each Collaborator issued a Certificate to Collaborate shall submit an on-line periodic report to the Medicaid Agency no later than March 1 and September 1 of each year in which the Collaborator holds a Certificate to Collaborate.

(2) Each periodic report must contain the information requested by the Medicaid Agency in order to allow the Medicaid Agency to engage in appropriate state supervision in accordance with Section 22-6-163 of the Alabama Code, including the following information:

(a) A description of the Collaborator's activities during the reporting period conducted pursuant to the Certificate to Collaborate, including a description of what entities and persons with whom the Collaborator engaged in collective negotiations, bargaining, or cooperation during the reporting period;

(b) A description of any progress the Collaborator has made during the reporting period in helping establish or develop a RCO or enrolling as a provider with a RCO;

(c) A description of any concerns or problems encountered in the collaborative process during the reporting period;

(d) A description of the nature and scope of expected future activities pursuant to the Certificate to Collaborate; and

(3) Each periodic report submitted by a Collaborator who intends to help establish or develop a RCO must include additional information concerning whether the RCO is expected to:

(a) result in improved quality of health care services to Medicaid beneficiaries;

(b) result in cost-containment in providing health care services;

(c) result in enhancements in technology;

(d) maintain competition in the health care services market; and

(e) identify appropriate service delivery systems and reimbursement methods in order to align incentives in support of integrated and coordinated health care delivery.

(4) The Collaborator shall certify in each periodic report that the bargaining during the reporting period was in good faith and necessary to meet the legislative intent expressed in Section 22-6-163 of the Alabama Code.

(5) The Medicaid Agency may inspect or request additional information, inspect or request documentation, and may convene meetings, make inquiries, and have such discussions with entities and persons it deems appropriate.

(6) Failure to file a periodic report required by this rule and failure to provide information or documents requested by the Medicaid Agency are each grounds for revocation of a Certificate to Collaborate pursuant to Alabama Administrative Code r. 560-X-62-.01(10). A holder of a Certificate to Collaborate that is revoked for failure to provide a timely periodic report or other requested information or documents may apply for reinstatement of the Certificate to Collaborate no more than two times (which number may be expanded by the Medicaid Agency for special circumstances as determined in the Medicaid Agency's sole discretion) upon submission of the delinquent periodic report or information, an explanation for failure to provide a timely periodic report, and any other information deemed necessary by the Medicaid Agency.

Author: Sharon Ward, Administrator, Administrative Procedures Office.

Statutory Authority: Code of Alabama, 1975 Section 22-6-150 *et seq.*

History: New Rule: Filed October 21, 2013.

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6/93

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 540 Department or Agency Alabama State Board of Medical Examiners

Rule No. 540-X-7-.29

Rule Title: Continuing Medical Education - Physician Assistants (P.A.)

_____ New X Amend _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?

_____ YES _____

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 an 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 _____

Date: Oct. 21, 2013