

REGULATORY AGENDA – January 15, 2012

Agency Name and Address: Executive Office of Health and Human Services
600 New London Avenue, Building #57
Cranston, RI 02920

PART I - Rules Promulgated June 16, 2011 through January 15, 2012:

Please indicate if your agency did not promulgate rules during this period, OR complete the following for each rule promulgated (add or delete rows accordingly):

ERLID	Type Filing	Title	Effective Date
6703	Adoption	Medical Assistance Program Section 0348 Rite Care	2/2/2012
6741	Adoption	Sherlock Plan, Medicaid for Working People with Disabilities	1/1/2012
6594	Amendment	Principles of Reimbursement for Nursing Homes	11/30/11

PART II - Expected Rule-making Activity January 16, 2012 through June 15, 2012:

Please indicate if your agency does not anticipate rule-making activity during this period, OR complete the following for each rule anticipated (add or delete rows accordingly):

Type Filing	Title/Subject Area	Objective	Legal Basis	Anticipated Schedule	Agency Contact	Interested Parties
Adoption	Medicaid Personal Choice Program	Set forth the specific rules applicable for the Personal Choice Program.	RIGL 42-35; 42-7.2-11	02/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies
Adoption	General Provisions	Set forth the specific rules and procedures applicable across Department's under the OHHS jurisdiction.	RIGL 42-35; 42-7.2-11	06/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies
Amendment	Medical Assistance Section 0362: Income Generally	Reflect the following statutory increases: 1) the cap on the Monthly Maintenance Needs Allowance is \$2,841; 2) the Minimum Protected Resource Amount is \$22,728; 3) the Maximum Protected Resource Amount is \$113,640; and 4) the federal cap for Institutionalized individuals are \$2,094. Effective January 1, 2012, the medically needy	RIGL 42-35; 42-7.2-11	Effective January 1, 2012 the rule was amended via emergency rule-making. APA by 4/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies

		income limits are increased pursuant to R.I.G.L. 40-8-3.				
Amendment	Medical Assistance Section 0300: MA Overview	Amend rule to reflect the following: the amount of allowable home equity interest has been increased for individuals seeking eligibility for Medical Assistance nursing facility services or other long-term care services from \$500,000 to \$525,000.	RIGL 42-35; 42-7.2-11	Effective January 1, 2012 the rule was amended via emergency rule-making. APA by 4/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies
Amendment	Medical Assistance Section: 0330 Income Generally	Reflect the following statutory increases: 1) the cap on the Monthly Maintenance Needs Allowance is \$2,841; 2) the Minimum Protected Resource Amount is \$22,728; 3) the Maximum Protected Resource Amount is \$113,640; and 4) the federal cap for Institutionalized individuals are \$2,094. Effective January 1, 2012, the medically needy income limits are	RIGL 42-35; 42-7.2-11	Effective January 1, 2012 the rule was amended via emergency rule-making. APA by 4/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies

		increased pursuant to R.I.G.L. 40-8-3.				
Amendment	Medical Assistance Section: 0370 SSI Related Coverage	Reflect the following statutory increases: 1) the cap on the Monthly Maintenance Needs Allowance is \$2,841; 2) the Minimum Protected Resource Amount is \$22,728; 3) the Maximum Protected Resource Amount is \$113,640; and 4) the federal cap for Institutionalized individuals are \$2,094. Effective January 1, 2012, the medically needy income limits are increased pursuant to R.I.G.L. 40-8-3.	RIGL 42-35; 42-7.2-11	Effective January 1, 2012 the rule was amended via emergency rule-making. APA by 4/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies
Amendment	Medical Assistance Section: 0372 Special Treatment Cover Groups	Reflect the following statutory increases: 1) the cap on the Monthly Maintenance Needs Allowance is \$2,841; 2) the Minimum Protected Resource Amount is \$22,728; 3) the Maximum Protected Resource Amount is \$113,640; and 4) the	RIGL 42-35; 42-7.2-11	Effective January 1, 2012 the rule was amended via emergency rule-making. APA by 4/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies

		federal cap for Institutionalized individuals are \$2,094. Effective January 1, 2012, the medically needy income limits are increased pursuant to R.I.G.L. 40-8-3.				
Amendment	Medical Assistance Section: 0380 Resources Generally	Reflect the following statutory increases: 1) the cap on the Monthly Maintenance Needs Allowance is \$2,841; 2) the Minimum Protected Resource Amount is \$22,728; 3) the Maximum Protected Resource Amount is \$113,640; and 4) the federal cap for Institutionalized individuals are \$2,094. Effective January 1, 2012, the medically needy income limits are increased pursuant to R.I.G.L. 40-8-3.	RIGL 42-35; 42-7.2-11	Effective January 1, 2012 the rule was amended via emergency rule-making. APA by 4/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies
Amendment	Medical Assistance Section: 0382 Evaluation of Resources	Amend rule to reflect the following: the amount of allowable home equity interest has been increased	RIGL 42-35; 42-7.2-11	Effective January 1, 2012 the rule was amended via emergency	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies

		for individuals seeking eligibility for Medical Assistance nursing facility services or other long-term care services from \$500,000 to \$525,000.		rule-making. APA by 4/1/2012		
Amendment	Medical Assistance Section: 0396 Waiver Programs	Reflect the following statutory increases: 1) the cap on the Monthly Maintenance Needs Allowance is \$2,841; 2) the Minimum Protected Resource Amount is \$22,728; 3) the Maximum Protected Resource Amount is \$113,640; and 4) the federal cap for Institutionalized individuals are \$2,094. Effective January 1, 2012, the medically needy income limits are increased pursuant to R.I.G.L. 40-8-3.	RIGL 42-35; 42-7.2-11	Effective January 1, 2012 the rule was amended via emergency rule-making. APA by 4/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies
Amendment	Medical Assistance Section: 0392 Post Eligibility Treatment of Income	Reflect the following statutory increases: 1) the cap on the Monthly Maintenance Needs Allowance is \$2,841; 2) the	RIGL 42-35; 42-7.2-11	Effective January 1, 2012 the rule was amended via emergency rule-making.	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies

		Minimum Protected Resource Amount is \$22,728; 3) the Maximum Protected Resource Amount is \$113,640; and 4) the federal cap for Institutionalized individuals are \$2,094. Effective January 1, 2012, the medically needy income limits are increased pursuant to R.I.G.L. 40-8-3.		APA by 4/1/2012		
Amendment	Supplemental Security Income (SSI) and State Supplemental Payment (SSP) Program	Amended to reflect the Social Security Administration's cost of living adjustment (COLA) in the SSI payment level	RIGL 42-35; 42-7.2-11	06/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies
Amendment	Medical Assistance 0342 Categorical Needy AFDC	Update rule to reflect Federal Guidance on Title IV-E for an applicable child.	RIGL 42-35, 40-8; Title XIX of the Social Security Act	06/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies
Amendment	Medical Assistance – Section 0376 Overview of Medical Assistance	General update to LTC rules and reorganization of Sections 0376-.0399	RIGL 42035, 40-8, Title XIX of the Social Security Act	06/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies
Amendment	Medical Assistance – Section 0378 Institutional Care	General update to LTC rules and reorganization of Sections 0376-.0399	RIGL 42035, 40-8, Title XIX of the Social Security Act	06/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies

Amendment	Medical Assistance – Section 0384 Resource Transfer	General update to LTC rules and reorganization of Sections 0376-.0399	RIGL 42035, 40-8, Title XIX of the Social Security Act	06/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies
Amendment	Medical Assistance – Section 0386 Income Generally	General update to LTC rules and reorganization of Sections 0376-.0399.	RIGL 42035, 40-8, Title XIX of the Social Security Act	06/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies
Amendment	Medical Assistance – Section 0388 Treatment of Income	General update to LTC rules and reorganization of Sections 0376-.0399	RIGL 42035, 40-8, Title XIX of the Social Security Act	06/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies
Amendment	Medical Assistance – Section 0390 Flexible Test of Income	General update to LTC rules and reorganization of Sections 0376-.0399	RIGL 42035, 40-8, Title XIX of the Social Security Act	06/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies
Amendment	Medical Assistance – Section 0394 SSI-related Coverage group	General update to LTC rules and reorganization of Sections 0376-.0399	RIGL 42035, 40-8, Title XIX of the Social Security Act	06/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies
Amendment	Medical Assistance – Section 0398 Specific Waiver Programs	General update to LTC rules and reorganization of Sections 0376-.0399	RIGL 42035, 40-8, Title XIX of the Social Security Act	06/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies
Amendment	Medical Assistance – Section 0399 Global Consumer Choice Waiver Rebalancing the Long-Tern Care System	General update to LTC rules and reorganization of Sections 0376-.0399	RIGL 42035, 40-8, Title XIX of the Social Security Act	06/1/2012	Kimberly Merolla-Brito 462-6238	Families, advocacy groups and other State agencies