

**HUMAN SERVICES DEPARTMENT[441]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 249A.4 and 2008 Iowa Acts, Senate File 2425, section 32(13), the Department of Human Services amends Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” and Chapter 83, “Medicaid Waiver Services,” Iowa Administrative Code.

These amendments reflect the following changes in Medicaid reimbursement rates enacted in 2008 Iowa Acts, Senate File 2425:

- Rate limits for the following provider categories are increased by 1 percent: advanced registered nurse practitioner, ambulance, ambulatory surgical center, audiologist, birth center, chiropractor, clinic, dentist, durable medical equipment and supply dealer, family planning clinic, hearing aid dispenser, home- and community-based habilitation services, home health agency, lead inspection agency, maternal health center, optician, optometrist, orthopedic shoe dealer, physical therapist, podiatrist, physician, psychologist, remedial services, and screening center.

- Rates for hospital inpatient and outpatient services (other than at critical access hospitals) are increased by 1 percent. The 1 percent increase has been incorporated into the new ambulatory payment classification rates and hospital outpatient fee schedule adopted in **ARC 6889B**, published in the Iowa Administrative Bulletin on July 2, 2008. Funds for hospital reimbursement for direct and indirect medical education and disproportionate share payments are also increased by 1 percent to provide a 1 percent increase in reimbursement.

- The maximum reimbursement rate for inpatient care in a psychiatric medical institution for children is raised to \$167.19 per day. Rates for outpatient day treatment are increased by 1 percent.

- The dispensing fee for drugs is raised to \$4.57.

- Rates for the following home- and community-based waiver services are increased by 1 percent: adult day care, assistive devices, behavioral programming, case management (except for the elderly waiver), chore service, counseling, day habilitation, emergency response system, family and community support, family counseling, financial management, home-delivered meals, home health aide, homemaker, independent support broker, in-home family therapy, interim medical monitoring and treatment, nursing care, nutrition counseling, prevocational services, respite care, senior companion, supported community living, and supported employment. Elderly waiver case management reimbursement is defined in a different section of the Department’s appropriations bill and is not included in the 1 percent increase.

- Consumer-directed attendant care providers under the waivers have a rate increase of 3 percent.

- Monthly caps on waiver services are increased by 3 percent to accommodate the increase in provider rates.

- Annual or lifetime caps on waiver home and vehicle modification and specialized medical equipment are increased by 1 percent.

Some language revisions have been made to clarify current policy for air ambulance services, home health aides, nursing care, home health agencies (including respite care and interim medical monitoring and treatment), and outpatient hospital care.

These amendments do not provide for waivers in specified situations, since a rate increase benefits the providers affected. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

These amendments were previously Adopted and Filed Emergency and were published in the Iowa Administrative Bulletin on July 2, 2008, as **ARC 6900B**. Notice of Intended Action to solicit comments on these amendments was published in the Iowa Administrative Bulletin on the same date as **ARC 6901B**. The Department received no comments on the Notice of Intended Action.

The Department has made the following changes in the rules as noticed and previously adopted emergency:

- To allow payment of the entire benefits for home and vehicle modification, Items 1, 2, 4, 11, 14, and 15 are changed to raise the monthly encumbrance by 1 percent to \$505. Subparagraph 83.2(2)“b”(2) did not appear when these amendments were Adopted and Filed Emergency in the July 2, 2008, Iowa Administrative Bulletin. Because it is now being amended, the text of this subparagraph appears as follows:

“(2) If more than \$505 is paid for home and vehicle modification services, the service worker shall encumber up to \$505 per month within the monthly dollar cap allowed for the consumer until the total amount of the modification is reached within a 12-month period.”

- To correct an error in the rate for day habilitation services, in Item 7, under “home- and community-based habilitation services,” the third column of numbered paragraph “3,” Day habilitation, is changed to read “\$13.21 per hour, \$32.15 per half-day, or \$64.29 per day.” This half-day limit matches the published limit for day habilitation services provided under a home- and community-based services waiver.

The Council on Human Services adopted these amendments on September 17, 2008.

These amendments are intended to implement Iowa Code section 249A.4 and 2008 Iowa Acts, Senate File 2425, section 32, subsections 1, 8, and 10.

These amendments shall become effective November 12, 2008, at which time the Adopted and Filed Emergency rules are rescinded.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [amendments to Chs 78, 79, 83] is being omitted. With the exception of the changes noted above, these amendments are identical to those published under Notice as **ARC 6901B** and Adopted and Filed Emergency as **ARC 6900B**, IAB 7/2/08.

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