



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

**Department of
Health and Social Services**

DIVISION OF HEALTH CARE SERVICES
Director's Office

4501 Business Park Blvd., Suite 24, Bldg L
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May 28, 2014

Dear Tribal Health Leader,

On behalf of the Department of Health and Social Services (DHSS), I am writing to inform you of a proposed future Medicaid state regulation change that may result in an amendment to Alaska's waivers to provide home and community-based services under 1915(c). In keeping with DHSS's responsibility to conduct tribal consultation for amendments to waivers, this letter is being written as a courtesy, in conjunction with public notice for regulations change. It has yet to be determined whether or not this regulation change will result in an amendment to Alaska's 1915(c) waivers.

The proposed regulation changes include changes to 7 AAC 130:

130.229. Use of restrictive intervention

- Enhances the health and safety of recipients by adding "chemical restraint" to prohibited forms of restrictive intervention that may be used to control recipients.

130.250. Adult day services

- Improves access to supportive services by increasing the maximum number of hours per day a recipient may receive adult day services.

130.265. Residential habilitation services

- Restricts "in-home support" to a maximum of 18 hours per day; this is a "habilitative" service not appropriate for the full-day or overnight needs of recipients.

130.270. Supported employment services

- Controls utilization by restricting pre-employment services to a lifetime maximum of three months.
- Controls utilization by clarifying that transportation can be billed as part of supported employment services only if the recipient is engaged in paid work, and there are no other available options for transportation.

130.275. Intensive active treatment

- Improves access to intensive active treatment by adding Special Education teachers to those qualified to provide the services.

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130.290. Transportation services

- Improves access to transportation services by allowing transportation providers to use employee- or volunteer-owned vehicles.

Any amendments resulting from these proposed changes are not expected to significantly impact tribal health providers or the Indian Health Service. Alaska Natives and American Indians may be impacted to the same extent as other Alaska Medicaid recipients.

Please provide any written comments or questions regarding this Amendment within 30 days of the date of this letter to Gennifer Moreau, if you would like to arrange a meeting or discuss this Amendment please provide a written request within 15 days, Alaska Department of Health and Social Services, 4501 Business Park BLVD, Building L, Anchorage, Alaska 99503 or gennifer.moreau@alaska.gov. Please also feel free to call if you would like to arrange a meeting or discuss this proposed Amendment.

Comments provided in response to this consultation letter will be considered comments regarding the possible waiver amendment, and not be taken as public comment to the proposed regulations. Comments to the proposed regulations cannot be considered as comments to the possible waiver amendment. If you wish to comment on both the possible amendment and the proposed regulations, you must do so separately. To locate the proposed changes to regulations, please refer to the State of Alaska, Department of Health and Social Services web page, at the "Public Notices" link. <http://dhss.alaska.gov/Pages/PublicNotice/Default.aspx>

Sincerely,



Deb Etheridge
Medicaid Policy & Planning Manager

Cc: William J. Streur, Commissioner
Renee A. Gayhart, Tribal Health Program Manager