



Children, Families, Health, and Human Services Interim Committee

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62nd Montana Legislature

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To: Committee Members
From: Alexis Sandru and Julianne Burkhardt, Staff Attorneys
Re: DPHHS Administrative Rule Activity
Date: March 8, 2012

The Department of Public Health and Human Services (DPHHS) has filed the following notices with the Secretary of State's Office for publication in the Montana Administrative Register (MAR). (Notices in their entirety are available online at: <http://www.dphhs.mt.gov/legalresources/>)

MAR 2012 Issue No. 2 (January 26, 2012) At page 195 of the 2012 MAR, DPHHS has filed a NOTICE OF AMENDMENT indicating its final adoption of amendments to ARM 37.80.101, 37.80.102, 37.80.205, 37.80.206, 37.80.306, 37.80.315, and 37.80.502. The amendments pertain to revisions to the Child Care Policy Manual.

MAR 2012 Issue No. 2 (January 26, 2012) At page 187 of the 2012 MAR, DPHHS has filed a NOTICE OF AMENDMENT indicating its final adoption of amendments to ARM 37.104.101 and 37.104.212 pertaining to emergency medical services. The DPHHS received numerous comments regarding the amendments to these rules. The focus of the comments was that the mandatory collection of data was burdensome and duplicative and that the requirements amount to an unfunded mandate. The DPHHS responded overall that it believes that meeting the requirements will not be as burdensome as anticipated.

MAR 2012 Issue No. 2 (January 26, 2012) At page 173 of the 2012 MAR, DPHHS has filed a NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT regarding the amendment of ARM 37.86.2803, 37.86.2907, 37.86.2918, and 37.86.2925 pertaining to Medicaid inpatient hospital services. The proposed changes deal with various aspects of proposed rate changes. The hearing was held on February 15, 2012, at 9:30 p.m. in room 207, 111 North Sanders, Helena, Montana.

MAR 2012 Issue No. 2 (January 26, 2012) At page 167 of the 2012 MAR, DPHHS has filed a NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT regarding the amendment of ARM 37.87.1303, 37.87.1307, 37.87.1321, and 37.87.1333 pertaining to home and community based services for youths with serious emotional disturbance. According to the DPHHS, the proposed amendments are necessary to reflect the most up-to-date policy manual containing the amendments to the 1915(c) Home and Community-Based Services Psychiatric Residential Treatment Facility Home and Community-Based Services Waiver for Youth with Serious Emotional Disturbance. The hearing was held on February 15, 2012, at 11:00 p.m. in room 207, 111 North Sanders, Helena, Montana.

MAR 2012 Issue No. 3 (February 9, 2012) At page 298 of the 2012 MAR, DPHHS filed a NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT regarding the amendment of ARM 37.82.701, 37.86.1701, 37.86.1705, and 37.86.1706 pertaining to Plan First 1115 waiver implementation. The proposed amendments are designed to add a new eligibility group called Plan First and to update the family planning services definitions, requirements, and reimbursement methods. The hearing was held on February 29, 2012.

MAR 2012 Issue No. 4 (February 23, 2012) At page 375 of the 2012 MAR, DPHHS filed a NOTICE OF PUBLIC HEARING ON PROPOSED ADOPTION, AMENDMENT, and REPEAL of rules pertaining to public sleeping accommodations (Title 37, chapter 111, subchapter 1, ARM). The proposed new rules clarify and update rules regarding local health authority and department review of plans; public and nonpublic water supply system requirements for establishments; sampling requirements for small water systems; contaminated water samples for nonpublic water systems; water supply corrective actions; operation activity during a boil order; and ice standards. DPHHS proposes to amend the following rules contained in Title 37, chapter 111, subchapter 1, ARM: definitions; licensure, renewal, and inspection; physical requirements; wastewater system; solid waste; laundry facilities; guest room cleaning and maintenance; food service requirements; and guest registration. DPHHS proposes to repeal certain rules because the content of these rules is covered in separate administrative rules. The hearing is scheduled for March 21, 2012, at 1:30 p.m., in Room 207 of the DPHHS building.

MAR 2012 Issue No. 4 (March 8, 2012) At page 483 of the 2012 MAR, DPHHS filed a NOTICE OF PUBLIC HEARING ON PROPOSED ADOPTION and AMENDMENT of rules regarding implementation of Montana Medicaid diabetes and cardiovascular disease prevention services. The hearing is scheduled for March 28, 2012, at 10 a.m., in Room 207 of the DPHHS building.

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