

NOTICE OF PROPOSED CHANGES ON PERSONAL CARE SERVICES PROVIDER USE OF AN ELECTRONIC VISIT VERIFICATION SYSTEM IN THE REGULATIONS OF THE DEPARTMENT OF HEALTH & SOCIAL SERVICES.

BRIEF DESCRIPTION

The Department of Health & Social Services proposes to change regulations to require a personal care services provider to use an electronic visit verification system.

The Department of Health & Social Services proposes to adopt regulation changes in Title 7 of the Alaska Administrative Code, dealing with the requirements for providers of personal care services and Community First Choice personal care services to use an electronic visit verification system, including the following:

- 7 AAC 105.230. Medicaid Provider and Recipient Participation. Requirements for provider records, is proposed to be changed as follows:
 - Amend to add the use of an electronic verification system.
- 7 AAC 125. Medicaid Coverage; Personal Care Services and Home Health Care Services.
 - Add a new section that requires a provider of personal care services to use an electronic visit verification system.
- 7 AAC 127. Community First Choice Personal Care Services.
 - Add a new section that requires a provider of Community First Choice personal care services to use an electronic visit verification system.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to the State of Alaska, Department of Health & Social Services, Division of Senior and Disabilities Services, Attention: Jetta Whittaker, P.O. Box 110680, Juneau, Alaska 99811-0680. Additionally, Department of Health and Social Service will accept comments by facsimile at (907) 465-1170 and by electronic mail at jetta.whittaker@alaska.gov. The comments must be received not later than 5:00 p.m. on November 23, 2020.

You may provide oral comments relevant to the proposed action **via telephone** at the hearing to be held on November 10, 2020, 12:00 p.m. – 1:00 p.m., **by calling 1- (800) 315-6338 and using code 34773737# at the prompt. Please note that in-person attendance will not be permitted at the hearing site because of the public health and safety concerns associated with the COVID – 19 pandemic. Please prepare to share your oral comments by telephone only.** If you call to provide oral testimony, you should be on the line **before** the hearing begins at 12:00 p.m. The Department of Health & Social Services will give priority to those who call in before 12:30 p.m. The Department of Health & Social Services may, before the hearing begins, limit the time allotted for each person providing oral testimony. The time limit may be necessary to conclude the hearing in the time provided.

You may submit written questions relevant to the proposed action to Jetta Whittaker, by e-mail at jetta.whittaker@alaska.gov or mail at the State of Alaska, Department of Health & Social Services, Division of Senior and Disabilities Services, Attention: Jetta Whittaker, P.O. Box 110680, Juneau, Alaska 99811-0680. The questions must be received at least 10 days before the end of the public comment period. The Department of Health and Social Services will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jetta Whittaker by electronic mail at jetta.whittaker@alaska.gov or (907) 465-1605 not later than November 4, 2020, to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Jetta Whittaker at jetta.whittaker@alaska.gov or (907) 465-1605.

After the public comment period ends, the Department of Health & Social Services will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.**

Statutory authority: AS 47.05.010; AS 47.07.030; AS 47.07.040.

Statutes being implemented, interpreted, or made specific: AS 47.05.010; AS 47.07.030; AS 47.07.040.

Fiscal information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: October 12, 2020.

/s/Adam Crum

Commissioner,

Department of Health & Social Services

State of Alaska.