

## **Hospital Cost Settlement Reopening Process**

### **Zoom Public Hearing (7/24/24 @ 10:00 AM CST)**

**Mac Golden:** Good morning, everyone, and welcome to a public hearing on a rule regarding the Hospital Cost Settlement Reopening Process. Anita Castleberry the Division of Medical Services will be announcing the notice of rulemaking. Then we will open the floor for public comments. Please utilize the raise hand feature via Zoom if you would like to make a public comment on the record. All official responses to public comments will appear on the DHS proposed rule website after the public comment period concludes. The notice of rulemaking will now be read.

**Anita Castleberry:** Notice of rulemaking. The Department of Human Services announces for a public comment period of thirty (30) calendar days a notice of rulemaking for the following proposed rule under one or more of the following chapters, subchapters, or sections of the Arkansas Code: §§ 20-76-201, 20-77-107, and 25-10-129.

The Director of the Division of Medical Services amends the Arkansas Medicaid State Plan and Medicaid Hospital Provider Manual regarding the process for cost settlement reopening to ensure federal claiming can be completed within the same rules and timelines as Medicare. Requests must be in writing and must be received no later than three (3) years after the date of the determination or decision that is the subject of the reopening. The request must reflect a reimbursement impact that totals a cumulative amount of at least a \$10,000 increase due to new and material issues within the individual cost report. Each issue cited must be reviewed and determined as new and material to be counted in the cumulative total. Any cost reports reopened due to unforeseen and unavoidable events that are between two (2) and three (3) years after the Notice of Program Reimbursement was issued and which result in a payment above the interim payments will qualify for an exception under 45 CFR 95.19(a). There is no fiscal impact. The projected effective date is October 1, 2024.

The proposed rule is available for review at the Department of Human Services (DHS) Office of Policy and Rules, 2nd floor Donaghey Plaza South Building, 7th and Main Streets, P. O. Box 1437, Slot S295, Little Rock, Arkansas 72203-1437. This notice also shall be posted at the local office of the Division of County Operations (DCO) of DHS in every county in the state.

You may also access and download the proposed rule at [ar.gov/dhs-proposed-rules](https://ar.gov/dhs-proposed-rules). Public comments must be submitted in writing at the above address or at the following email address: [ORP@dhs.arkansas.gov](mailto:ORP@dhs.arkansas.gov). All public comments must be received by DHS no later than August 12, 2024. Please note that public comments submitted in response to this notice are considered public documents. A public comment, including the commenter's name and any personal information contained within the public comment, will be made publicly available and may be seen by various people. A public hearing will be held by remote access through Zoom. Public comments may be submitted at the hearing. The details for attending the Zoom hearing appear at [ar.gov/dhszoom](https://ar.gov/dhszoom).

If you need this material in a different format, such as large print, contact the Office of Policy and Rules at (501) 320-6428. The Arkansas Department of Human Services is in compliance with Titles VI and VII of the Civil Rights Act and is operated, managed, and delivers services without regard to religion, disability, political affiliation, veteran status, age, race, color, or national origin.

**Mac Golden:** Thank you, Ms. Castleberry, please let the record reflect we have two attendees for today's public hearing. If either attendee would like to make a public comment at this time, please utilize the raise hand feature. I will pause a couple of seconds. It does not appear either attendee wishes to make a public comment today. We thank you for attending this public hearing, and we will go off the record now.