

## 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: §§ 25-10-129, 20-76-201, and 20-77-107.

Effective September 1, 2024, the Division of Medical Services (DMS) issues a rule to implement provisions of Acts 303 and 872 of 2023. Those Acts allow Physician Assistants to be identified as a treating provider and receive payment for services rendered and allow Clinical Nurse Specialists to enroll as a Primary Care Provider and receive payment for services rendered, with each subject to certain requirements. This rule will increase the number of providers available to meet the needs of Arkansas Medicaid beneficiaries, especially in rural areas of the state. This rule allows physician assistants and clinical nurse specialists to bill their services at 80% of the physician's rate. There is no fiscal impact.

To implement this rule, DMS issues two new Medicaid Provider Manuals, "Physician Assistant" and "Clinical Nurse Specialist", to ensure providers understand enrollment, coverage, reimbursement, and procedures required for participation in the Arkansas Medicaid Programs.

The rule also necessitates amendment of the Arkansas Medicaid State Plan and other provider manuals to include information related to the practice of physician assistants and clinical nurse specialists within the scope of their licenses as now allowed by the Acts. **The State Plan Amendment, AR-24-003, shall be retroactive of the rule and effective July 1, 2024.** Revisions of the manuals include updates to current practices and typographic or grammatical corrections.

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. 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 **July 13, 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. 4502201653

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Division of Medical Services