

**Provider Refunds and Primary Care Provider Qualification Updates – Zoom Public Hearing Transcript  
1/24/24 @ 2:30 CST**

**Mac Golden:** Good afternoon. I'm Mac Golden, Deputy Chief of the Office of Policy and Rules at the Department of Human Services. Welcome to a public hearing on a proposed rule regarding provider refunds and primary care provider qualification updates. I will read the notice of rulemaking, and then we will open the floor for public comments. Please remember this is not a question-and-answer session. All official responses to public comments will appear on the DHS proposed rules website after the public comment period concludes. If you have questions or need a copy of the proposed rule, the notice, or any other information please contact my office at [ORP@dhs.arkansas.gov](mailto:ORP@dhs.arkansas.gov) or call 501-320-6428. I will now read the 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.

The Division of Medical Services (DMS) updates Section I of the Arkansas Medicaid Provider Manuals as a result of previous audit findings and to ensure compliance with federal requirements. The proposed effective date of the rule is April 1, 2024. There is no fiscal impact.

DMS clarifies methods for providers to refund balances related to adverse actions pertaining to Medicaid claims findings. Any outstanding balances over 30 days will be recouped against future payments and providers unable to refund their outstanding balance within 30 days must contact Gainwell Technologies Provider Assistance Center to discuss repayment options. All outstanding balances must be paid back within one year.

DMS also updates the qualifications for participating as a primary care provider (PCP). DMS removes language requiring clinics to enroll as PCPs and remove the exception for physicians employed exclusively by an Area Health Education Center, a Federally Qualified Health Center, a Medical College Physician's Group, or a hospital for enrolling in the PCP program and language defining qualified clinics and health centers as single-entity PCP's and listing them. DMS removes the exception of family practice and internal medicine clinics at UAMS as physician group practices under the exclusions rule, removes PCP qualified single entity providers from the list of providers required to execute Child Health Services agreements under Early and Periodic Screening, Diagnostic and Treatment (EPSDT) Agreement Requirement or Primary Care Case Manager Agreement. Finally, DMS deleted specific practice groups allowed to enroll as single-entity PCPs.

The proposed rule is available for review at the Department of Human Services (DHS) Office of Rules Promulgation, 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). 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. 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 February 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.

If you need this material in a different format, such as large print, contact the Office of Rules Promulgation at 501-320-6428.

**Mac Golden:** I will open the floor for public comments. If you would like to make a public comment, utilize the raise hand feature in zoom. You will be recognized on record to give your comment. I'll pause for a moment to give you that opportunity. While we are waiting, please let the record reflect we have five attendees for today's public hearing.

We thank you for attending. It does not appear anyone wishes to make a public comment today. We will now go off the record.