

## **Public Hearing on Disproportionate Share Hospital Audit – Medicaid State Plan Amendment**

### **Zoom Public Hearing (7/26/2024 @ 11:30 a.m. CST)**

**Mac Golden:** Welcome to a public hearing on a rule regarding Disproportionate Share Hospital Audit. Anita Castleberry of 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'd like to make a comment on the record. All official responses to public comments will appear on the DHS proposed rule website after the public comment period concludes. Ms. Castleberry will now read the notice of rulemaking.

**Anita Castleberry:** 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) amends its Disproportionate Share Hospital (DSH) payment methodology to allow funds to be redistributed to other eligible hospitals upon completion of an annual, independent, certified audit of DSH payments in accordance with 42 CFR 447.299, 455.301, 455.304. Redistribution of overpayment DSH funding is necessary for the state to best utilize funding that becomes available once a certified audit and recoupment has occurred. Any overpayments of DSH funds shall be redistributed to other eligible hospitals within the state, provided each acute care hospital remains below their hospital specific DSH limit. To establish the above redistribution methods, DMS issues a state plan amendment (SPA) and adds a new section to the Hospital Provider Manual to be effective September 1, 2024. DHS projects an annual cost of \$10,948,978.00 (federal share \$7,883,264.00; state share \$3,065,714).

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://www.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 14, 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 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. That's the end of the statement.

**Mac Golden:** Thank you. Please let the record reflect we have 4 attendees for today's public hearing. If any attendee would like to make a comment on the record, please utilize the raise hand feature via zoom. I will pause 10 seconds to give you time to do so. It does not appear

there are any public comments today. We thank you for attending this hearing and we will go off the record.