

John R. Ashcroft

Secretary of State
Administrative Rules Division

RULE TRANSMITTAL

Administrative Rules Stamp

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AUG 10 2021

SECRETARY OF STATE
ADMINISTRATIVE RULES

Rule Number 13 CSR 70-15.020

Use a "SEPARATE" rule transmittal sheet for EACH individual rulemaking.

Name of person to call with questions about this rule:

Content Alex Daskalakis Phone (573) 522-8692 FAX (573) 522-6092

Email address Alexander.N.Daskalakis@dss.mo.gov

Data Entry Aaron Mealy Phone (573) 526-0414 FAX (573) 522-6092

Email address Aaron.Mealy@dss.mo.gov

Interagency mailing address DLS, Broadway Bldg, 221 W High Street, Room 230

TYPE OF RULEMAKING ACTION TO BE TAKEN

Emergency Rulemaking __ Rule __ Amendment __ Rescission __ Termination

Effective Date for the Emergency _____

Proposed Rulemaking __ Rule X Amendment __ Rescission

Rule Action Notice In Addition Rule Under Consideration

Request for Non-Substantive Change

Statement of Actual Cost

Order of Rulemaking __ Withdrawal __ Adopt __ Amendment __ Rescission

Effective Date for the Order _____

Statutory 30 days OR Specific date _____

Does the Order of Rulemaking contain changes to the rule text? NO

YES—LIST THE SECTIONS WITH CHANGES, including any deleted rule text:

Small Business Regulatory
Fairness Board (DED) Stamp

JCAR Stamp

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By JCAR at 1:54 pm, Aug 10, 2021

STATE CAPITOL
201 W. CAPITOL AVENUE, ROOM 216
JEFFERSON CITY, MISSOURI 65101



(573) 751 3222
WWW.GOVERNOR.MO.GOV

Michael L. Parson

GOVERNOR
STATE OF MISSOURI

August 3, 2021

Sharie Hahn
General Counsel
Missouri Department of Social Services
Broadway State Office Building
Jefferson City, MO 65102

Dear Sharie:

This office has received your Proposed Rulemaking for the following regulations:

- 13 CSR 70-15.020 Procedures for Admission Certification, Continued Stay Review, and Validation Review of Hospital Admissions
- 13 CSR 70-4.120 Department is the Payer of Last Resort, Department's [Lien] Claim for Recovery, Participant's Duty of Cooperation
- 13 CSR 70-4.110 Placement of Liens on Property of Certain Institutionalized MO HealthNet [Eligible Persons] Participants
- 13 CSR 70-4.100 Preventing Medicaid Payment of Expenses Used to Meet Spenddown
- 13 CSR 70-3.120 Limitations on Payment of Out-of-State Nonemergency Medical Services
- 13 CSR 70-3.180 Medical Pre-certification Process

Executive Order 17-03 requires this office's approval before state agencies release proposed regulations for notice and comment, amend existing regulations, rescind regulations, or adopt new regulations. After our review, we approve the submission to JCAR and the Secretary of State.

Sincerely,

A handwritten signature in black ink, appearing to read "Caroline M. Coulter".

Caroline M. Coulter
Deputy General Counsel

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MICHAEL L. PARSON, GOVERNOR • JENNIFER TIDBALL, ACTING DIRECTOR

SHARIE L. HAHN, DIRECTOR
DIVISION OF LEGAL SERVICES
P.O. BOX 1527 • BROADWAY STATE OFFICE BUILDING • JEFFERSON CITY, MO 65102-1527
WWW.DSS.MO.GOV • 573-751-3229 • 573-522-6092 FAX

August 10, 2021

Sarah Schappe, Director
Joint Committee on Administrative Rules
Capitol Building, Room B-8
Jefferson City, MO 65101

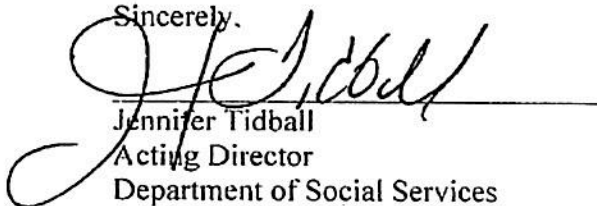
Dear Ms. Schappe:

RE: 13 CSR 70-15.020 Procedures for Admission Certification, Continued Stay
Review, and Validation Review of Hospital Admissions

Attached is an accurate and complete copy of the proposed rulemaking regarding the amendment of 13 CSR 70-15.020. This proposed amendment will be filed concurrently with the Secretary of State.

Statutory authority: sections 208.201, and 660.017, RSMo.

Sincerely,


Jennifer Tidball
Acting Director
Department of Social Services

Attachments

AUXILIARY AIDS AND SERVICES ARE AVAILABLE UPON REQUEST TO INDIVIDUALS WITH DISABILITIES

TDD / TTY: 800-735-2966

RELAY MISSOURI: 711

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August 10, 2021

John R. Ashcroft
Secretary of State
Administrative Rules Division
600 West Main Street
Jefferson City, Missouri 65101

RE: 13 CSR 70-15.020 Procedures for Admission Certification, Continued Stay Review, and Validation
Review of Hospital Admissions

Dear Secretary of State Ashcroft:

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the proposed rulemaking lawfully submitted by the MO HealthNet Division, Department of Social Services.

The MO HealthNet Division, Department of Social Services further certifies that it has conducted an analysis of whether or not there has been a taking of real property pursuant to section § 536.017, RSMo 2000, that the proposed rulemaking does not constitute a taking of real property under relevant state and federal law.

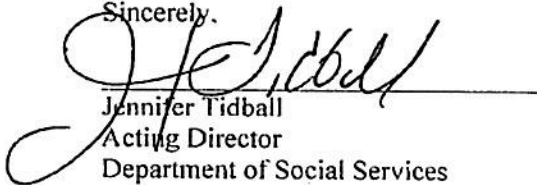
The MO HealthNet Division, Department of Social Services has determined and hereby also certifies that if the proposed rulemaking does affect small business pursuant to sections 536.300 to 536.310, RSMo, a small business impact statement has been filed as required by those sections. If no small business impact statement has been filed the proposed rulemaking either does not affect small business or the small business requirements do not apply pursuant to section 536.300.4, RSMo.

Statutory Authority: sections 208.201 and 660.017, RSMo.

If there are any questions regarding the content of this proposed rulemaking, please contact:

Alex Daskalakis
221 West High Street, Room 230
Jefferson City, MO 65102
573-526-0414
Alexander.N.Daskalakis@dss.mo.gov

Sincerely,


Jennifer Tidball
Acting Director
Department of Social Services

Attachments

AUXILIARY AIDS AND SERVICES ARE AVAILABLE UPON REQUEST TO INDIVIDUALS WITH DISABILITIES

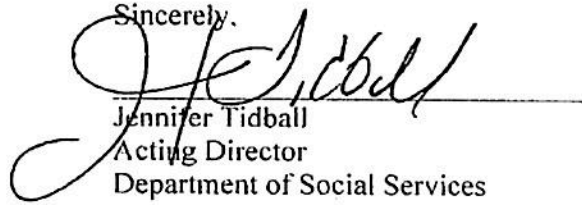
TDD / TTY: 800-735-2966

RELAY MISSOURI: 711

**DECLARATION
OF PUBLIC COST**

I, Jennifer Tidball, Acting Director of the Department of Social Services, do declare that it is my opinion that the cost of proposed amendment 13 CSR 70-15.020, is less than five hundred dollars (\$500) in the aggregate to this agency, any other agency of state government, or any political subdivision thereof.

Sincerely,



Jennifer Tidball
Acting Director
Department of Social Services

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SECRETARY OF STATE
ADMINISTRATIVE RULES

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 15 – Hospital Program**

PROPOSED AMENDMENT

13 CSR 70-15.020 Procedures for Admission Certification, Continued Stay Review, and Validation Review of Hospital Admissions. The division is amending section (1).

PURPOSE: This amendment adds the definition of “written request” which allows the ability to email or fax the record request letters to providers.

(1) The following definitions will be used in administering this rule:

(Y) Written Request. A notice to the address of the provider as listed in the MO HealthNet Division’s system, in writing, transmitted via the U.S. mail or other private or common carrier, facsimile, e-mail, or any other method/mode of transmittal that is deemed by MO HealthNet to be an efficient, cost-effective, verifiable, and a reliable method or mode of communication with the provider, applying provider, or provider’s representative.

AUTHORITY: sections 208.201 and 660.017, RSMo[Supp. 2013]. Emergency rule filed Oct. 20, 1989, effective Nov. 1, 1989, expired Feb. 28, 1990. Original rule filed Nov. 2, 1989, effective Feb. 25, 1990. Amended: Filed June 18, 1991, effective Jan. 13, 1992. Amended: Filed July 2, 1992, effective Feb. 26, 1993. Amended: Filed July 1, 1996, effective Feb. 28, 1997. Amended: Filed Feb. 1, 2008, effective Aug. 30, 2008. Amended: Filed Oct. 15, 2015, effective April 30, 2016. Amended: Filed August 10, 2021.*

*Original authority: 208.201, RSMo 1987, amended 2007.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division- Rulemaking, P.O. Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

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By JCAR at 1:54 pm, Aug 10, 2021