

## NOTICES OF EXEMPT RULEMAKING

The Administrative Procedure Act requires the *Register* publication of the rules adopted by the state's agencies under an exemption from all or part of the Administrative Procedure Act. Some of these rules are exempted by A.R.S. §§ 41-1005 or 41-1057; other rules are exempted by other statutes; rules of the Corporation Commission are exempt from Attorney General review pursuant to a court decision as determined by the Corporation Commission.

### NOTICE OF EXEMPT RULEMAKING

#### TITLE 9. HEALTH SERVICES

#### CHAPTER 31. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM CHILDREN'S HEALTH INSURANCE PROGRAM

#### PREAMBLE

- |                                    |                                 |
|------------------------------------|---------------------------------|
| <b><u>1. Sections Affected</u></b> | <b><u>Rulemaking Action</u></b> |
| R9-31-1715                         | Amend                           |
- 2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statute: A.R.S. § 36-2903.01(F)  
Implementing statutes: A.R.S. §§ 36-2981.01 and 36-2983
- 3. The effective date of the rules:**

March 1, 2003
- 4. A list of all previous notices appearing in the Register addressing the exempt rule:**

Notice of Rulemaking Docket Opening: 8 A.A.R. 4106, September 27, 2002  
Notice of Public Meeting on Open Rulemaking Docket: 8 A.A.R. 4113, September 27, 2002  
Notice of Exempt Rulemaking: 8 A.A.R. 5007, December 6, 2002  
Notice of Rulemaking Docket Opening: 9 A.A.R. 140, January 17, 2003  
Notice of Public Meeting on Open Rulemaking Docket: 9 A.A.R. 149, January 17, 2003
- 5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name:	Barbara Ledder
Address:	AHCCCS Office of Policy Analysis and Coordination 801 E. Jefferson, Mail Drop 4200 Phoenix, AZ 85034
Telephone:	(602) 417-4580
Fax:	(602) 256-6756
- 6. An explanation of the rule, including the agency's reasons for initiating the rule, including the statutory citation to the exemption from the regular rulemaking procedures:**

Beginning March 2003, parents of KidsCare and Medicaid children under Arizona's Health Insurance Flexibility and Accountability (HIFA) 1115 Demonstration Waiver and Laws 2002, Ch. 329 (A.R.S. §§ 36-2981.01 and 36-2983) will be responsible for paying his or her spouse's unpaid premiums. An exemption from the regular rulemaking procedures for this rulemaking is provided for by HB 2709, § 35.
- 7. A reference to any study relevant to the rule that the agency reviewed and either proposes to rely on in its evaluation of or justification for the rule or proposes not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

Not applicable
- 8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

9. **The summary of the economic, small business, and consumer impact:**  
Not applicable
10. **A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):**  
Not applicable
11. **A summary of the principal comments and the agency response to them:**  
Not applicable
12. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**  
Not applicable
13. **Incorporations by reference and their location in the rules:**  
Not applicable
14. **Was this rule previously adopted as an emergency rule?**  
Not applicable
15. **The full text of the rules follows:**

**TITLE 9. HEALTH SERVICES**

**CHAPTER 31. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM  
CHILDREN'S HEALTH INSURANCE PROGRAM**

**ARTICLE 17. ELIGIBILITY AND ENROLLMENT FOR A PARENT**

Section

R9-31-1715. Non-Payment of Premium

**ARTICLE 17. ELIGIBILITY AND ENROLLMENT FOR A PARENT**

**R9-31-1715. Non-Payment of Premium**

~~To be eligible, a parent shall not have an unpaid premium and shall not be a parent of a child with an unpaid premium as defined in Article 14 of this Chapter.~~

Prior to becoming eligible, a parent shall be required to pay all unpaid premiums for the:

1. Parent;
2. Parent's children; and
3. Parent's spouse with whom the parent resides, and with whom the parent resided at the time the premium was incurred.