

# NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

## NOTICE OF RULEMAKING DOCKET OPENING ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM ARIZONA LONG-TERM CARE SYSTEM

*Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2010, Ch. 287, § 18. (See the text of § 18 on page 1814.) The Governor's Office authorized the notice to proceed through the rulemaking process on August 19, 2010.*

[R10-128]

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 28, Arizona Health Care Cost Containment System – Arizona Long-term Care System  
**Article and its heading:** 3, Preadmission Screening (PAS)  
**Section numbers:** R9-28-301, R9-28-303 and R9-28-305 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rule:**  
The AHCCCS Administration has reviewed the validity of the PAS tools used to evaluate an individual's medical and functional eligibility for the ALTCS Program. In order to qualify for the ALTCS Program, individuals must require an institutional level of care. The PAS tools are intended to reflect the current consensus of the medical community and experts in developmental disability on best practices for reliably assessing the need for institutional care. As the opinion of those experts advance, the PAS tools should be updated to reflect the new consensus. A decision was made last year to update and revise the PAS tool used for children with developmental disabilities under age 6. The new tool has been developed and piloted and is now being finalized. The developmental evaluation in the tool has been expanded and updated. Developmental items on the tool are based on questions from several standardized, up to date and commonly accepted assessment tools. The tool has been piloted in-house and the analysis for a new scoring methodology has been completed. Because the current rules very specifically describe the elements and scoring routine of the current PAS tools, it is necessary to update the rules.
- 3. A citation to all published notices relating to the proceeding:**  
Notice of Public Information: 16 A.A.R. 1811, September 10, 2010 (*in this issue*)  
Notice of Proposed Rulemaking: 16 A.A.R. 1798, September 10, 2010 (*in this issue*)
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Mariaelena Ugarte  
Address: AHCCCS  
Office of Administrative Legal Services  
701 E. Jefferson St., Mail Drop 6200  
Phoenix, AZ 85034  
Telephone: (602) 417-4693  
Fax: (602) 253-9115  
E-mail: AHCCCSrules@azahcccs.gov
- 5. The time which the agency will accept written comments and the time and place where oral comments may be made:**  
The Administration will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m., at the address indicated in item 4. Public hearings will be scheduled later to provide a forum for receipt of testimony and comments from interested parties. E-mail comments will be accepted.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
Notice of Public Information: 16 A.A.R. 1811, September 10, 2010 (*in this issue*)  
Notice of Proposed Rulemaking: 16 A.A.R. 1798, September 10, 2010 (*in this issue*)