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**Department of Health
Bureau of Health Services Financing
and
Office for Citizens with Developmental Disabilities**
Public Hearing-Substantive Changes to Proposed Rule
Home and Community-Based Services Waivers
New Opportunities Waiver
(LAC 50:XXI.13703 and 13707)

In accordance with the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities published a Notice of Intent in the August 20, 2017 edition of the *Louisiana Register* (LR 43:1672-1682) to amend LAC 50:XXI.Chapters 137-143 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Notice of Intent proposed to amend the provisions governing the New Opportunities Waiver (NOW) in order to align language with the current, approved waiver application, incorporate federal home and community-based settings requirements and clarify current policy.

The department subsequently determined that additional, non-technical revisions were necessary to further clarify the provisions of §13703 and §13707 of the August 20, 2017 proposed Rule. These revisions were published in a Notice of Intent in the September 20, 2017 edition of the *Louisiana Register* (LR 43:1843-1846). As a result, the department now proposes to sever the

proposed amendments to §13703 and §13707 from the provisions of the August 20, 2017 Notice of Intent. No fiscal or economic impact will result from the amendments proposed in this notice.

Title 50

PUBLIC HEALTH—MEDICAL ASSISTANCE

Part XXI. Home and Community-Based Services Waivers

Subpart 11. New Opportunities Waiver

Chapter 137. General Provisions

§13703. Participant Qualifications and Admissions Criteria

Sever.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Community Supports and Services, LR 30:1201 (June 2004), amended by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 40:96 (January 2014), amended by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 43:

§13707. Programmatic Allocation of Waiver Opportunities

Sever.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Office for Citizens with

Developmental Disabilities, LR 31:2900 (November 2005), amended LR 33:2440 (November 2007), amended by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 37:3526 (December 2011), LR 40:70 (January 2014), amended by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 43:

Interested persons may submit written comments to Jen Steele, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030 or by email to MedicaidPolicy@la.gov. Ms. Steele is responsible for responding to inquiries regarding these substantive amendments to the proposed Rule. A public hearing on these substantive changes to the proposed Rule is scheduled for Wednesday, November 29, 2017 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Rebekah E. Gee MD, MPH

Secretary