

Notice of  
Rulemaking Hearing  
Tennessee Department of Finance and Administration  
Bureau of TennCare

There will be a hearing before the Commissioner to consider the promulgation of amendments of rules pursuant to Tennessee Code Annotated, 71-5-105 and 71-5-109. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Bureau of TennCare, 1<sup>st</sup> Floor East Conference Room, 310 Great Circle Road, Nashville, Tennessee 37243 at 9:00 a.m. C.S.T. on the 16<sup>th</sup> day March 2006.

Any individuals with disabilities who wish to participate in these proceedings (to review these filings) should contact the Department of Finance and Administration, Bureau of TennCare, to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date the party intends to review such filings) to allow time for the Bureau of TennCare to determine how it may reasonably provide such aid or service. Initial contact may be made with the Bureau of TennCare's ADA Coordinator by mail at the Bureau of TennCare, 310 Great Circle Road, Nashville, Tennessee 37243 or by telephone at (615) 507-6474 or 1-800-342-3145.

For a copy of this notice of rulemaking hearing, contact George Woods at the Bureau of TennCare, 310 Great Circle Road, Nashville, Tennessee 37243 or call (615) 507-6446.

Substance of Proposed Rule

Rule 1200-13-1-.02 Eligibility is amended by adding a new paragraph (9) which shall read as follows:

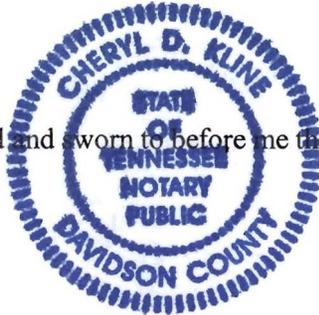
- (9) TennCare may provide a 45 day period of presumptive eligibility in conjunction with an approved Pre-Admission Evaluation for persons seeking admission to a Home and Community Based Services program as described in rules 1200-13-1-.17, 1200-13-1-.26 or 1200-13-1-.27. Such Presumptive Eligibility shall only be valid for the payment of covered services provided in the Home and Community Based Services program during the period of presumptive eligibility. Such Presumptive Eligibility shall not be valid for the payment of any Medicaid services other than those covered in the Home and Community Based Services program.

Statutory Authority: T.C.A. 4-5-202, 4-5-203, 71-5-105, 71-5-109, Executive Order No. 23.

D1015356

I certify that this is an accurate complete representation of the intent and scope of rulemaking proposed by the Tennessee Department of Finance and Administration.

J. D. Hickey  
Deputy Commissioner  
Tennessee Department of Finance and  
Administration



Subscribed and sworn to before me this the 12<sup>th</sup> day of January,  
2006.

Cheryl D. Kline  
Notary Public

**MY COMMISSION EXPIRES SEPTEMBER 25, 2008**

My Commission Expires on the \_\_\_\_\_ day of \_\_\_\_\_,

The notice of rulemaking set out herein was properly filed in the Department of State on the  
12 day of Jan., 2006.

Riley C. Darnell  
Riley C. Darnell  
Secretary of State

BY: M. M. [Signature]

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