

Rulemaking Hearing Rules  
of  
The Tennessee Commission on Aging and Disability

Chapter 0030-2-1  
State Funded Home and Community Based Services  
for Elderly and Disabled Adults

Amendment

Rule 0030-2-1-.02, Cost Sharing and Participant Contribution Requirements, is amended by deleting subparagraph (4) (h) in its entirety and substituting instead the following language, so that as amended, the new subparagraph (4) (h) shall read:

(4) (h) Be able to adjust the cost share responsibility for a consumer who is unable to comply with the cost share policy. This adjustment will be implemented on a case-by-case basis.

Authority: 42 U.S.C.A. § 3030 c-2 and T.C.A. §§ 4-5-201 et seq., 71-5-1404(a), and 71-5-1408.

Legal Contact: Richard F. Russell, Deputy General Counsel, Office of General Counsel, 26th Floor, William R. Snodgrass Tennessee Tower, 312 Eighth Avenue North, Nashville, TN 37247-0120, Phone 615-741-1611.

Contact for disk acquisition and/or party who will approve final copy for publication: Nancy Brode, Supervisor of Planning, Tennessee Commission on Aging and Disability, Suite 825, 500 Deaderick Street, Andrew Jackson Building, Nashville, TN 37243-0860, Phone 615-741-2056.

Signature of the agency officer directly responsible for proposing and/or drafting these rules:

  
Nancy C. Peace, Executive Director  
Commission on Aging and Disability

The roll call vote by the Tennessee Commission on Aging and Disability was as follows:

Commission Member	Aye	No	Abstain
Ginny Acree	<u>X</u>	_____	_____
John Arriola	<u>X</u>	_____	_____
**Robert Brandon	_____	_____	_____
Diane Cornell	<u>X</u>	_____	_____
Sun-Hwan Chcu	<u>X</u>	_____	_____
*Deborah Cunningham	_____	_____	_____
Bettie Davis	<u>X</u>	_____	_____
Shelburne Ferguson	<u>X</u>	_____	_____
*John Fisher	_____	_____	_____
*Connie Gfiffitts	_____	_____	_____
Bonnie Howard	<u>X</u>	_____	_____
Judson Palmer	<u>X</u>	_____	_____
Leonard Price	<u>X</u>	_____	_____
Ruby Stewman	<u>X</u>	_____	_____
Elizabeth Stovall	<u>X</u>	_____	_____
Donald Woodlee	<u>X</u>	_____	_____
*Tam Gordon	_____	_____	_____
Judy Eads	<u>X</u>	_____	_____
Deborah Neill	<u>X</u>	_____	_____
Jerry Hill	<u>X</u>	_____	_____
*Jackie Talley	_____	_____	_____
Errol Elstain	<u>X</u>	_____	_____

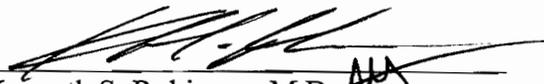
Senator Curtis Person	Ex officio
Rep. Lois DeBerry	Ex officio

\*Member Absent

\*\*Member Absent in Afternoon

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Commission on Aging and Disability on the 9<sup>th</sup> day of November, 2004.

Further, I certify that the provisions of T.C.A. §4-5-222 have been fully complied with, that these rules are properly presented for filing, a notice of rulemaking hearing has been filed in the Department of State on the 31<sup>st</sup> day of August, 2004 and such notice of rulemaking hearing having been published in the September 14, 2004 issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the 22<sup>nd</sup> day of October, 2004.

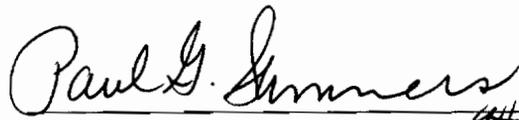
  
Kenneth S. Robinson, M.D. *AK*  
Commissioner

Subscribed and sworn before me this the 28th day of January, 2005.

  
Notary Public

My commission expires on the 25th day of March, 2006.

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

  
Paul G. Summers *4/4*  
Attorney General and Reporter

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 23 day of May, 2005 and will become effective on the 6 day of August, 2005

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Riley C. Darnell  
Secretary of State

By: 