

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 Nashville Public Library Auditorium, 1st Floor, 615 Church Street, Nashville, Tennessee 37219 at 9:30 a.m. C.D.T. on the 16th day August 2005.

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 Rules

Subparagraphs (r), (u), and (v) of paragraph (1) of rule 1200-13-1-.03 Amount, Duration, and Scope of Assistance is deleted in their entirety and replaced with new subparagraphs which shall read as follows:

- (r) Intermediate Care Facility services for individuals age 65 or older in institutions for tuberculosis will be covered for those who require institutional health services below the level of care rendered in skilled nursing facilities. Effective August 1, 2005, no reimbursement shall be made for days when the patient is not physically present in the facility.
- (u) Intermediate Care facility services for individuals age 65 or older in institutions for mental diseases will be covered for those who require institutional health services below the level of care rendered in skilled nursing facilities. Effective August 1, 2005, no reimbursement shall be made for days when the patient is not physically present in the facility. However, this policy shall not apply to Intermediate Care Facility services for the Mentally Retarded (ICFs/MR).
- (v) Intermediate Care Facility services other than services in an institution for tuberculosis or mental diseases will be covered. Effective August 1, 2005, no reimbursement shall be made for days when the patient is not physically in the facility.

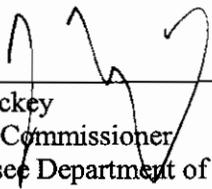
Subparagraph (b) of paragraph (4) of rule 1200-13-1-.06 Provider Reimbursement is amended by adding part 3. which shall read as follows:

3. Effective August 1, 2005, no reimbursement shall be made for days when the patient is not physically present in the Level I nursing facility.

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

D1035180

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 me this the 30th day of June, 2005.



Notary Public

My Commission Expires on the 14th day of March,
2007.

The notice of rulemaking set out herein was properly filed in the Department of State on the
30 day of June, 2005.



Riley C. Darnell
Secretary of State

BY: 

D1035180

RECEIVED
2005 JUN 30 PM 2:45
SECRETARY OF
PUBLIC AFFAIRS