

Rulemaking Hearing Rules
of
Tennessee Department of Finance and Administration

Bureau of TennCare

Chapter 1200-13-1
General Rules

Amendment

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, 71-5-105, 71-5-109, Executive Order No. 23.

Legal Contact and/or party who will approve final copy for publication and disk acquisition:

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Signature of the agency or officers directly responsible for proposing and/or drafting these rules.

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

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Department of Finance and Administration on the _____ day of _____, _____.

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 have been filed in the Department of State on the _____ day of _____, 20____ and such notice of rulemaking hearing having been published in the _____, 20____ issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the _____ day of _____, 20____.

M.D. Goetz, Jr.
Commissioner
Tennessee Department of Finance and Administration

Subscribed and sworn to before me this the ____ day of _____, _____.

Notary Public

My commission expires on the _____ day of _____,
_____.

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
Attorney General and Reporter

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 3rd day of May, 2006 and will become effective on the 17th day of July, 2006.