

APA-1

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No: 560 Department or Agency: Alabama Medicaid Agency

Rule No: 560-X-05-.02

Rule Title: Participation

\_\_\_\_\_ New; X Amend; \_\_\_\_\_ Repeal; \_\_\_\_\_ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? no

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? yes

Is there another, less restrictive method of regulation available that could adequately protect the public? no

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? no

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? no

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? no

\*\*\*\*\*  
Does the proposed rule have an economic impact? no

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer: Stephanie Lindsay

Date: 2-19-20

**ALABAMA MEDICAID AGENCY**

**NOTICE OF INTENDED ACTION**

**AGENCY NAME:** Alabama Medicaid Agency

**RULE NO. & TITLE:** 560-X-5-.02 Participation

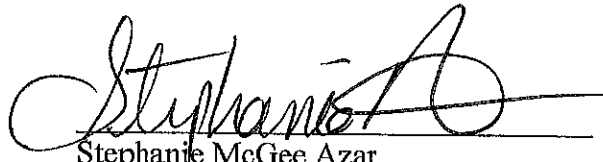
**INTENDED ACTION:** Amend 560-X-5-.02

**SUBSTANCE OF PROPOSED ACTION:** The above referenced rule is being amended to remove the monthly inpatient census report requirement for enrolled psychiatric hospitals.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** Written or oral comments may be submitted to the Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624. Agency business hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:** Written/Oral comments concerning this change must be received by the Alabama Medicaid Agency no later than April 3, 2020.

**CONTACT PERSON AT AGENCY:** Stephanie Lindsay, Administrative Secretary, Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624. Phone: (334) 242-5833.

  
Stephanie McGee Azar  
Commissioner

**Rule No. 560-X-5-.02. Participation**

(1) In order to participate in the Title XIX Medicaid program and to receive Medicaid payment for inpatient services for individuals 65 and older, a provider must meet the following requirements:

- (a) Be certified for participation in the Medicare/Medicaid program;
- (b) Be licensed as an Alabama free-standing acute geriatric psychiatric hospital in accordance with current rules contained in the Alabama Administrative Code Chapter 420-5-7. State hospitals that do not require licensing as per state law are exempt from this provision (Alabama Code, Section 22-50-1, et seq.);
- (c) Be accredited by the Joint Commission on Accreditation of Healthcare Organizations;
- (d) Specialize in the care and treatment of geriatric patients with serious mental illness;
- (e) Have on staff at least one full-time board certified geriatric psychiatrist/geriatrician; or a full-time board certified adult psychiatrist with a minimum of 3 years experience caring for geriatric patients 65 or older.
- (f) Employ only staff who meet training/certification standards in the area of adult psychiatry as defined by the State's mental health authority;
- (g) Be recognized as a teaching hospital, and affiliated with at least one four-year institution of higher education with a multi-disciplinary approach to the care and treatment of geriatric patients with serious mental illness;
- (h) Provide outpatient and community liaison services throughout the State of Alabama directly or through contract with qualified providers;
- (i) Be in compliance with Title VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Americans with Disabilities Act;
- (j) Execute an Alabama Medicaid Provider Agreement for participation in the Medicaid program;
- (k) Submit a written description of an acceptable utilization review plan currently in effect;
- (l) Submit a budget of cost for its inpatient services for its initial cost reporting period, if a new provider; and
- (m) Be under the jurisdiction of the State's mental health authority.

(2) Application by Alabama geriatric psychiatric facilities for participation in the Alabama-Medicaid program shall be made to the appropriate address indicated in the Provider Manual.

~~is to be made to:~~

~~\_\_\_\_\_ Alabama Medicaid Agency  
\_\_\_\_\_ Attention: Hospital Program  
\_\_\_\_\_ Post Office Box 5624  
\_\_\_\_\_ Montgomery, Alabama 36103-5624~~

~~(3) After enrollment, submission of a monthly inpatient census report using the PSY-4 form is required.~~

(34) It is the facility's responsibility to ensure compliance with all federal and state regulations and to ensure that all required documentation is included in the recipient's record. Failure to comply will result in denial of payment and possible recoupment of reimbursements made previously.

**Author:** Solomon Williams, Associate Director, Institutional Services

**Authority:** 42 C.F.R. Subpart E, Section 482.60 through Section 482.62.

**History:** Rule effective October 12, 1995. Effective date November 10, 1997. **Amended:** Filed July 12, 2017; effective August 28, 2017. **Amended:** Filed February 19, 2020.