DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENT

1) **Heading of the Part:** Specialized Health Care Delivery Systems

2) **Code Citation:** 89 Ill. Adm. Code 146

3) **Section Number:**
   - Proposed Action:
   - 146.550 Amendment

4) **Statutory Authority:** Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13] and Save Medicaid Access and Resources Together (SMART) Act, which created 305 ILCS 5/14-11.

5) **Complete Description of the Subjects and Issues Involved:** These administrative rules are required pursuant to the Save Medicaid Access and Resources Together (SMART) Act, Public Act 97-0689, which created 305 ILCS 5/14-11 and required the Department to implement hospital payment reform.

6) **Published studies or reports, and sources of underlying data, used to compose this rulemaking:** None

7) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

8) **Does this rulemaking contain an automatic repeal date?** No

9) **Does this rulemaking contain incorporations by reference?** No

10) **Are there any other proposed rulemakings pending on this Part?** Yes

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11) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

12) Time, Place, and Manner in which Interested Persons may Comment on this Proposed Rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

   Jeanette Badrov  
   General Counsel  
   Illinois Department of Healthcare and Family Services  
   201 South Grand Avenue E., 3rd Floor  
   Springfield IL  62763-0002  

   217/782-1233  
   HFS.Rules@illinois.gov.

The Department requests the submission of written comments within 45 days after the publication of this Notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

13) Initial Regulatory Flexibility Analysis:

   A) Types of small businesses, small municipalities and not-for-profit corporations affected: None

   B) Reporting, bookkeeping or other procedures required for compliance: None

   C) Types of professional skills necessary for compliance: None

14) Regulatory Agenda on which this Rulemaking was Summarized: This rulemaking was not anticipated by the Department when the most recent regulatory agenda was published.

The full text of the Proposed Amendment begins on the next page:
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES
SUBCHAPTER d: MEDICAL PROGRAMS

PART 146
SPECIALIZED HEALTH CARE DELIVERY SYSTEMS

SUBPART A: AMBULATORY SURGICAL TREATMENT CENTERS

Section
146.100 General Description
146.105 Definitions
146.110 Participation Requirements
146.115 Records and Data Reporting Requirements
146.125 Covered Ambulatory Surgical Treatment Center Services
146.130 Reimbursement for Services

SUBPART B: SUPPORTIVE LIVING FACILITIES

Section
146.200 General Description
146.205 Definitions
146.210 Structural Requirements
146.215 SLF Participation Requirements
146.220 Resident Participation Requirements
146.225 Reimbursement for Medicaid Residents
146.230 Services
146.235 Staffing
146.240 Resident Contract
146.245 Assessment and Service Plan and Quarterly Evaluation
146.250 Resident Rights
146.255 Discharge
146.260 Grievance Procedure
146.265 Records and Reporting Requirements
146.270 Quality Assurance Plan
146.275 Monitoring
146.280 Non-Compliance Action
146.285 Voluntary Surrender of Certification
146.290 Geographic Groups
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146.295 Emergency Contingency Plan
146.300 Waivers
146.305 Reporting of Suspected Abuse, Neglect and Financial Exploitation
146.310 Facility Management of Resident Funds

SUBPART C: STATE HEMOPHILIA PROGRAM

Section
146.400 Definitions
146.410 Patient Eligibility
146.420 Hemophilia Treatment Centers
146.430 Comprehensive Care Evaluation
146.440 Home Transfusion Arrangements
146.450 Obligations of the Department

SUBPART D: CHILDREN'S COMMUNITY-BASED HEALTH CARE CENTERS

Section
146.500 General Description
146.510 Definitions
146.520 Participation Requirements
146.530 Records and Data Reporting Requirements
146.540 Covered Children's Community-Based Health Care Center Services
146.550 Reimbursement for Services
146.560 Individuals Eligible for Services Provided in a Children's Community-Based Health Care Center
146.570 Prior and Post Approval of Services

SUBPART E: SUPPORTIVE LIVING FACILITIES WITH DEMENTIA CARE UNITS

Section
146.600 General Description
146.610 Structural Requirements
146.620 Participation Requirements
146.630 Resident Participation Requirements
146.640 Services
146.650 Reimbursement for Medicaid Residents
146.660 Staffing
146.670 Assessment and Service Plan and Quarterly Evaluation
NOTICE OF PROPOSED AMENDMENT

SUBPART F: BIRTH CENTERS

Section 146.550  Reimbursement for Services

a) Services provided under Section 146.540(a)(1) shall be reimbursed in accordance with 89 Ill. Adm. Code 140.474(c).

b) Services provided under Section 146.540(a)(2) shall be reimbursed on a per diem basis at the lower of the Children's Community-Based Health Care Center's usual and customary charge to the public at the Department’s rate of $610.00, or half of the default children's hospital base rate rounded to the nearest whole dollar as defined in 89 Ill. Adm. Code 148.270(e)(5)(B).

c) Services provided under Section 146.540(b)(1) shall be reimbursed in accordance with 89 Ill. Adm. Code 140.474(c).

d) Services provided under Section 146.540(b)(2) shall be reimbursed at the Department's rate of $17 per hour.

e) Effective for dates of service on or after July 1, 2012, reimbursement rates paid under this Section shall be reduced by 2.7% from the rates in effect on June 30, 2012.

(Source: Amended at 38 Ill. Reg. _______, effective ________________)