



**STATE OF OKLAHOMA**  
**OKLAHOMA HEALTH CARE AUTHORITY**

I/T/U Public Notice 2012-03

September 7, 2012

**RE: Oklahoma Health Care Authority (OHCA) Proposed Rule Changes for State Health Programs**

Dear Tribal Representative:

The purpose of this letter is to give you notice of proposed rule changes that will be reviewed at the Medical Advisory Committee (MAC) meeting held on September 20<sup>th</sup>, 2012. As you are aware, there was also an in-person tribal consultation at OHCA regarding these rules on September 4<sup>th</sup>. OHCA is committed to active communication with Tribal Governments during the OHCA decision-making and priority-setting process and therefore keeps you apprised of all proposed rule changes.

Enclosed is a summary of the currently proposed rule changes for your review. The summary describes the purpose of each rule change and the anticipated impact on those affected. To view the complete proposal for the September 20<sup>th</sup> MAC, you can visit [www.okhca.org/macagenda](http://www.okhca.org/macagenda).

Please note that these are only proposed rule changes and have not yet taken effect. Before implementation, new rule changes must obtain budget authorization, federal approval (if applicable), OHCA Board approval, and the governor's approval.

Additionally, OHCA is now posting all proposed rule changes on the Agency's public website [www.okhca.org/rule-changes](http://www.okhca.org/rule-changes). The proposed rule changes page is designed to give all constituents and stakeholders an opportunity to review and make comments regarding upcoming rule changes.

To ensure that you stay apprised of proposed rule changes, you may sign up for web alerts for the page and you will automatically be notified when any new rules are posted for comment.

OHCA values consultation with Tribal Governments and will provide your representatives a reasonable amount of time to respond to this notification. If you have any questions or comments about the proposed rule changes, please use the online comment system found at [www.okhca.org/rule-changes](http://www.okhca.org/rule-changes). This system allows us to efficiently respond to comments and inquiries regarding our rules.

Sincerely,

A handwritten signature in cursive script that reads "Dana Miller".

Dana Miller  
Indian Health Director

## **OHCA Initiated Policy Changes**

**12-06 Medicaid Income Pension Trust**— Emergency rule revisions are proposed to increase the income cap for the Medicaid Income Pension Trust (or Miller Trust) to the average monthly cost of nursing home care. The income cap in current rules is \$3,000 per month. As of September 1, 2012, the average cost of nursing home care increases to \$4,235 per month (as published in OKDHS Appendix C-1 Schedule VIII.B). Increasing the cap to the cost of care will help to eliminate the gap in coverage for people who have more than \$3,000 in income per month but not enough to afford the full out-of-pocket cost of long term care services. This change affects financial eligibility rules for all long term care programs, including the waiver programs for Home and Community Based Services.