

# DEPARTMENT OF HEALTH & SOCIAL SERVICES



## PROPOSED CHANGES TO REGULATIONS

### MEDICAID – TRANSFER COST-OF-CARE LIABILITY COLLECTION

- 7 AAC 100.552. Medicaid Eligibility. Payment of recipient's cost-of-care liability.



### PUBLIC REVIEW DRAFT

March 5, 2021

**COMMENT PERIOD ENDS: April 15, 2021**

Please see the public notice for details about how to comment on these proposed changes.

**Notes to reader:**

1. Except as discussed in note 2, new text that amends an existing regulation is **bolded and underlined**.
2. If the lead-in line above the text of each section of the regulations states that a new section, subsection, paragraph, or subparagraph is being added, or that an existing section, subsection, paragraph, or subparagraph is being repealed and readopted (replaced), *the new or replaced text is not bolded or underlined*.
3. [ALL-CAPS TEXT WITHIN BRACKETS] indicates text that is to be deleted.
4. When the word “including” is used, Alaska Statutes provide that it means “including, but not limited to.”
5. Only the text that is being changed within a section of the current regulations is included in this draft. Refer to the text of that whole section, published in the current Alaska Administrative Code, to determine how a proposed change relates within the context of the whole section and the whole chapter.

**Title 7 Health and Social Services.****Chapter 100. Medicaid Eligibility.**

7 AAC 100.552 is repealed and readopted to read:

**7 AAC 100.552. Collection of recipient's cost-of-care liability.** A Medicaid provider that is enrolled under 7 AAC 105.200 and providing services as a long-term care facility, as a home and community-based waiver services provider, or as a residential supported-living services provider is responsible for collecting from the recipient or from the recipient's representative, on behalf of the recipient, the amount identified by the department under 7 AAC 100.554 as the recipient's cost-of-care liability. The department will reduce its payment to a Medicaid provider by the amount of the recipient's cost of care liability, even if the recipient does not pay the cost of care liability to the Medicaid provider. (Eff. 7/20/2007, Register 183; am 1/1/2011, Register 196; am 8/1/2020, Register 235; am\_\_\_\_/\_\_\_\_/\_\_\_\_, Register\_\_\_\_)

**Authority:** AS 47.05.010                      AS 47.07.020                      AS 47.07.040