

DEPARTMENT OF HEALTH



PROPOSED CHANGES TO REGULATIONS.

Medicaid Employment Services Coverage.

7 AAC 130.270. Medicaid Coverage; Home and Community-Based Waiver Services. Employment services.

7 AAC 160.900. Medicaid Program; General Provisions. Requirements adopted by reference.



PUBLIC REVIEW DRAFT
August 16, 2024.

COMMENT PERIOD ENDS: October 7, 2024.

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

Notes to the 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paragraph, or subparagraph is being added, or that an existing section, subsection, paragraph, or subparagraph is being repealed and readopted (replaced), *the new or replaced text is not bolded or underlined*.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 130. Medicaid Coverage; Home and Community-Based Waiver Services.

7 AAC 130.270. Employment services.

7 AAC 130.270(a)(9) is amended to read:

(9) **planned to maximize the recipient’s independence and provide the minimum amount of support required for the recipient to obtain and maintain employment**
 [PROVIDED IN DECREASING AMOUNTS OVER TIME, AS THE RECIPIENT MEETS THE SPECIFIC SERVICE OUTCOMES AND EMPLOYMENT-RELATED GOALS IDENTIFIED IN THE PERSON-CENTERED SUPPORT PLAN];

7 AAC 130.270(c)(2) is amended to read:

(2) assist the recipient to accomplish work-related goals identified in a person-centered support plan, and **maximize the recipient’s independence and provide the minimum amount of support required for the recipient to obtain and maintain employment**
 [DECREASE OVER TIME] as goals are achieved; and

7 AAC 130.270(d)(10)(B) is amended to read:

(B) are not planned to maximize the recipient’s independence and provide the minimum amount of support required for the recipient to obtain and maintain employment [DECREASE OVER TIME];

7 AAC 130.270 is amended by adding a new subsection to read:

(f) Incidental assistance with the recipient’s activities of daily living at the workplace is considered an ancillary part of employment services. (Eff. 2/1/2010, Register 193; am 7/1/2013, Register 206; am 7/1/2015, Register 214; am 10/1/2017, Register 223; am 11/5/2017, Register 224; am 3/31/2021, Register 238; am 9/9/2021, Register 239; am 9/18/2022, Register 243 ; am ____/____/_____, Register _____)

Authority: AS 47.05.010 AS 47.07.030 AS 47.07.040

Chapter 160. Medicaid Program; General Provisions.

7 AAC 160.900. Requirements adopted by reference.

7 AAC 160.900(d)(49) is amended to read:

(49) the *Employment Services Conditions of Participation*, dated August 1, 2024 [JULY 1, 2022];

(Eff. 2/1/2010, Register 193; am 8/25/2010, Register 195; am 12/1/2010, Register 196; am 1/1/2011, Register 196; am 1/15/2011, Register 197; am 2/9/2011, Register 197; am 3/1/2011, Register 197; am 10/1/2011, Register 199; am 12/1/2011, Register 200; am 1/26/2012, Register 201; am 3/8/2012, Register 201; am 4/1/2012, Register 201; add'l am 4/1/2012, Register 201; am

5/11/2012, Register 202; am 10/16/2012, Register 204; am 11/3/2012, Register 204; am 12/1/2012, Register 204; am 12/2/2012, Register 204; am 1/1/2013, Register 204; am 1/16/2013, Register 205; am 7/1/2013, Register 206; add'l am 7/1/2013, Register 206; am 11/3/2013, Register 208; am 1/1/2014, Register 208; am 2/2/2014, Register 209; am 3/19/2014, Register 209; am 3/22/2014, Register 209; am 5/18/2014, Register 210; am 2/26/2015, Register 213; am 3/15/2015, Register 213; am 7/1/2015, Register 214; am 5/1/2016, Register 218; am 6/16/2016, Register 218; am 7/22/2017, Register 223; am 11/5/2017, Register 224; am 3/1/2018, Register 225; am 10/1/2018, Register 227; am 1/1/2019, Register 228; am 3/24/2019, Register 229; am 6/2/2019, Register 230; am 6/13/2019, Register 230; [AM 6/16/2016, REGISTER 218;] am 7/1/2019, Register 231; am 10/25/2019, Register 232; am 11/10/2019, Register 232; am 4/24/2020, Register 234; am 5/21/2020, Register 234; am 6/25/2020, Register 234; am 10/1/2020, Register 235; am 10/4/2020, Register 236; am 1/1/2021, Register 236; am 3/31/2021, Register 238; am 6/30/2021, Register 238; am 8/27/2021, Register 239; am 9/9/2021, Register 239; am 10/9/2021, Register 240; am 11/1/2021, Register 240; am 5/25/2022, Register 242; am 9/4/2022, Register 243; am 9/18/2022, Register 243; am 10/16/2022, Register 244; am 12/1/2022, Register 244; am 12/23/2022, Register 244; am 3/3/2023, Register 245; am 3/26/2023, Register 245; am 5/1/2023, Register 246; am 5/19/2023, Register 246; am 1/1/2024, Register 248; am 2/1/2024, Register 249; **add'l** [ADDT'L] am 2/2/2024, Register 249; am 3/1/2024, Register 249; am ____/____/_____, Register _____)

Authority: AS 47.05.010 AS 47.07.030 AS 47.07.085
AS 47.05.012 AS 47.07.040