

Nancy Dahlstrom
Lieutenant Governor
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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

MEMORANDUM

TO: Triptaa Surve, Department of Health

FROM: April Simpson, Office of the Lieutenant Governor *AS*
465.4081

DATE: October 9, 2024

RE: Filed Permanent Regulations: Department of Health
Department of Health regulations re: Medicaid rates related to behavioral health reform
1115 waiver services (7 AAC 160.900)

Attorney General File:	2024200265
Regulation Filed:	10/9/2024
Effective Date:	11/8/2024
Print:	252, January 2025

cc with enclosures: Colleen Bailey, Department of Law
Judy Herndon, LexisNexis



THE STATE
of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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Juneau, Alaska 99811
Main: 907.465.3600
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October 8, 2024

The Honorable Nancy Dahlstrom
Lieutenant Governor
State of Alaska
P.O. Box 110015
Juneau, AK 99811-0015

Re: *7 AAC 160.900: DOH: Medicaid rates related to behavioral health reform
1115 waiver services*
Our file: 2024200265

Dear Lieutenant Governor Dahlstrom:

The Department of Law has reviewed the attached regulations of the Department of Health against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This letter constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Department of Health after the close of the public comment period.

The regulations adjust the rates for behavioral health reform "1115" waiver services.

The July 24, 2024 public notice and the October 7, 2024 adoption order both state that this action is expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.060 has been prepared and is attached.

No technical corrections were necessary to conform the regulations in accordance with AS 44.62.060.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By: Rebecca C. Polizzotto
Rebecca C. Polizzotto
Chief Assistant Attorney General
Legislation, Regulations, and
Legislative Research Section

Digitally signed by
Rebecca C. Polizzotto
Date: 2024.10.08
14:45:17 -08'00'

RCP/SCW

CC w/enclosure: Triptaa Surve, Project Coordinator
Department of Health

Laura O. Russell, Assistant Attorney General
Department of Law

Steven C. Weaver, Assistant Attorney General
Department of Law

ORDER ADOPTING CHANGES TO REGULATIONS
OF THE DEPARTMENT OF HEALTH.

The attached two pages of regulations, dealing with Medicaid Payment Rates for Behavioral Health Reform 1115 Waiver Services, are adopted and certified to be a correct copy of the regulation changes that the Department of Health adopts under the authority of AS 47.05.010, AS 47.05.012, AS 47.07.030, AS 47.07.040, and AS 47.07.085, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

It is estimated that this action will require increased appropriations as shown on the attached fiscal note.

In considering public comments, the Department of Health paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

**Heidi
Hedberg**

Digitally signed by
Heidi Hedberg
Date: 2024.10.07
10:33:02 -08'00'

Heidi Hedberg, Commissioner
Department of Health

April Simpson for

FILING CERTIFICATION

I, Nancy Dahlstrom, Lieutenant Governor for the State of Alaska, certify that on

October 9, 2024, at 1:5p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

Nancy Dahlstrom
for Lieutenant Governor *Nancy Dahlstrom*

Effective: November 8, 2024

Register: 252, January 2025.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

April Simpson, Regulations and Initiatives Specialist

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on May 15th, 2023.



A handwritten signature in blue ink, reading "Nancy Dahlstrom", is written over a horizontal dotted line.

**NANCY DAHLSTROM
LIEUTENANT GOVERNOR**

7 AAC 160.900(d)(65) is amended to read:

(65) **Chart of Behavioral Health Reform 1115 Medicaid Services Rates** [*CHART OF MEDICAID 1115 BEHAVIORAL HEALTH (BH) AND SUBSTANCE USE DISORDER (SUD) SERVICES RATES*], dated **April 5, 2024** [DECEMBER 15, 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; am 2/2/2024, Register 259; **add'l** [ADDT'L] am 2/2/2024, Register 249; am 3/1/2024, Register 249; am 11 / 08 / 2024, Register 252)

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

The 79th editor's note after 7 AAC 160.900 is changed to read:

The current version of the (1) **Chart of Behavioral Health Reform 1115 Medicaid Services Rates** [*CHART OF MEDICAID 1115 BEHAVIORAL HEALTH (BH) AND SUBSTANCE USE DISORDER (SUD) WAIVER SERVICES RATES*]; (2) *Alaska Behavioral Health Provider Service Standards & Administrative Procedures for SUD Provider Services*; and (3) *Alaska Behavioral Health Providers Services Standards & Administrative Procedures for Behavioral Health Provider Services*, may be viewed at the agency's office at the State of Alaska, Department of Health, Division of Behavioral Health, 3601 C Street, Suite 934, Anchorage, AK 99503. The current version of these materials may also be viewed on the agency's internet website at <https://health.alaska.gov/dbh/Pages/default.aspx>, and website link, at <https://health.alaska.gov/dbh/Pages/Resources/Medicaidrelated.aspx>.