

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM ADMINISTRATION

Editor's note: The following Notice of Rulemaking Docket Opening was reviewed per Laws 2009, 3rd Special Session, Ch. 7, § 28 (page 569) and the Governor's Regulatory Review Plan memorandum, January 22, 2009 and the continuations issued April 30, June 29 and October 16, 2009 (15 A.A.R. 241, January 23, 2009; 15 A.A.R. 735, May 1, 2009; 15 A.A.R. 1130, July 3, 2009; and 15 A.A.R. 1759, October 23, 2009; respectively.) The Governor's Office authorized the notice to proceed through the rulemaking process on September 16, 2009.

[R10-37]

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 22, Arizona Health Care Cost Containment System – Administration
Article and its heading: 7, Standards for Payments
Section numbers: R9-22-711 (Sections may be added, deleted, or modified as necessary.)
2. **The subject matter of the proposed rule:**
The DRA created section 1916A of Title XIX (42 U.S.C. 1396o-1) which permits states to impose higher than nominal copayments on certain populations over 100% of the Federal Poverty Level (FPL). The AHCCCS Administration plans to move forward using this authority to change the copayment requirements for those members under the Transitional Medical Assistance (TMA) program with 100% or higher of the FPL and any other changes required to conform to 1916A of Title XIX.
3. **A citation to all published notices relating to the proceeding:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Mariaelena Ugarte
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701 E. Jefferson St., Mail Drop 6200
Phoenix, AZ 85034
Telephone: (602) 417-4693
Fax: (602) 253-9115
E-mail: AHCCCSrules@azahcccs.gov
5. **The time which the agency will accept written comments and the time and place where oral comments may be made:**
The Administration will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m., at the address indicated in item 4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
The Administration intends to file the Notice of Proposed Rulemaking by the end of March 2010.