

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 (AHCCCS) ADMINISTRATION

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 245.) The Governor's Office authorized the notice to proceed through the rulemaking process on August 9, 2011.

[R13-17]

- 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: R9-22-710 (As part of this rulemaking, the Administration may add, delete or modify Sections as necessary.)
- 2. The subject matter of the proposed rule:**
Due to recent legislative direction within Laws 2012, Chapter 299, § 7 of the bill repealed the rulemaking authority and § 8 stipulated that rules adopted through the previous year's authority would expire December 31, 2013, without specific statutory authority.
After an evaluation of our overall statutory authority regarding covered services, rates and eligibility, AHCCCS has determined that it requires statutory changes to continue measures it enacted under the Chapter 299 authority that prohibits AHCCCS from continuing after December 31, 2013, any "program changes" made pursuant to § 34 of Senate Bill 1619. Therefore, the Administration is re-promulgating rules in regard to the 340B program.
- 3. A citation to all published notices relating to the proceeding:**
Notice of Exempt Rulemaking: 18 A.A.R. 212, January 27, 2012
Notice of Exempt Rulemaking: 18 A.A.R. 1971, August 17, 2012
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Mariaelena Ugarte
Address: AHCCCS
Office of Administrative Legal Services
701 E. Jefferson, 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 a.m. to 5 p.m., at the address indicated in question #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 Notice of Proposed Rulemaking is published in this issue (see page 227).