

APA-1

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No: 560 Department or Agency: Alabama Medicaid Agency

Rule No: 560-X-6-.17 (1) (a) (b) (c) (d) (e) (f) (g) (h), (2), (3)

Rule Title: Copayment (Cost-Sharing)

\_\_\_\_\_  
New Rule; X Amend; \_\_\_\_\_ Repeal; \_\_\_\_\_ Adoption by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? \_\_\_\_\_ no

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? \_\_\_\_\_ yes

Is there another, less restrictive method of regulation available that could adequately protect the public? \_\_\_\_\_ no

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? \_\_\_\_\_ no

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? \_\_\_\_\_ no

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? \_\_\_\_\_ yes

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Does the proposed rule have any economic impact? \_\_\_\_\_ no

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975 and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer:  \_\_\_\_\_

Date: 3-16-12

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FOR APD USE ONLY

PUBLISHED IN VOLUME \_\_\_\_\_ ISSUE NO. \_\_\_\_\_

EDITED AND APPROVED BY \_\_\_\_\_ DOCUMENT NO. \_\_\_\_\_

**ALABAMA MEDICAID AGENCY**

**NOTICE OF INTENDED ACTION**

**RULE NO. & TITLE:** 560-X-6-.17 Copayment (Cost-Sharing)

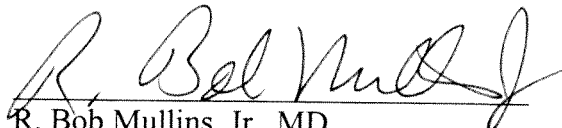
**INTENDED ACTION:** Amend 560-X-6-.17 (1) (a) (b) (c) (d) (e) (f) (g) (h), (2), (3)

**SUBSTANCE OF PROPOSED ACTION:** The above referenced rule is being amended to cite a cross-reference to Rule No. 560-X-1-.25 for exceptions to the copayment requirement.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** Written or oral comments may be submitted to the Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624, 334-242-5833. Agency business hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:** Written/Oral comments concerning this change must be received by the Alabama Medicaid Agency no later than May 4, 2012.

**CONTACT PERSON AT AGENCY:** Stephanie McGee Azar, Administrative Secretary, Alabama Medicaid Agency, 501 Dexter Avenue, Post Office Box 5624, Montgomery, Alabama 36103-5624.

  
R. Bob Mullins, Jr., MD  
Commissioner

**Rule No. 560-X-6-17. Copayment (Cost-Sharing).**

(1) Medicaid recipients are required to pay, and physician providers are required to collect, the designated copayment amount on each physician visit. The copayment amount does not apply to services provided for the following:

- ~~\_\_\_\_\_~~ (a) ~~Pregnancy~~
- ~~\_\_\_\_\_~~ (b) ~~Nursing home residents~~
- ~~\_\_\_\_\_~~ (c) ~~Inpatient hospital visits~~
- ~~\_\_\_\_\_~~ (d) ~~Recipients under 18 years of age~~
- ~~\_\_\_\_\_~~ (e) ~~Emergencies~~
- ~~\_\_\_\_\_~~ (f) ~~Surgery fees~~
- ~~\_\_\_\_\_~~ (g) ~~Physical therapy~~
- ~~\_\_\_\_\_~~ (h) ~~Family planning~~

(2) Exceptions to the copayment requirement are listed in Rule No. 560-X-1-.25.

(23) A provider may not deny services to any eligible individual due to the individual's inability to pay the cost-sharing amount imposed.

**Author:** Desiree Nelson; Program Manager; Medical Support

**Statutory Authority:** Title XIX, Social Security Act; 42 C.F.R. §§ 447.50, 447.53, 447.55, et seq.; and State Plan Attachment 4.18-A.

**History:** Rule effective June 8, 1985. **Amended:** effective July 9, 1985; March 12, 1987; January 12, 1995. **Amended:** Filed March 20, 2012.