

STATEMENT OF CONSIDERATION RELATING TO  
907 KAR 17:005

Department for Medicaid Services

Not Amended After Comments

(1) A public hearing regarding 907 KAR 17:005 was not requested and; therefore, not held.

(2) The following individual submitted written comments regarding 907 KAR 17:005:

<u>Name and Title</u>	<u>Organization/Agency/Other Entity</u>
Kathy Adams, Director of Public Policy	The Children's Alliance; Frankfort, KY

(3) The following individual from the promulgating agency responded to comments received regarding 907 KAR 17:005:

<u>Name and Title</u>	<u>Organization/Agency/Other Entity</u>
Stuart Owen, Regulation Coordinator	Department for Medicaid Services

SUMMARY OF COMMENTS AND AGENCY'S RESPONSES

(1) Subject: Regulatory Impact Analysis and Tiering Statement

(a) Comment: Kathy Adams, Direct of Public Policy of the Children's Alliance, noted that the subsection (1)(b) of the Regulatory Impact Analysis and Tiering Statement stated that definitions were not being amended and stated the following:

"This is an incorrect statement as the proposed amendments add nine (9) new definitions, which includes adding definitions for "Authorized representative" (definition 6) and the eight regions (definitions 73 to 80). The Children's Alliance requests that the Regulatory Impact Analysis and Tiering Statement be corrected accordingly."

(b) Response: DMS has filed a revised Regulatory Impact Analysis and Tiering Statement with the Legislative Research Commission.

SUMMARY OF STATEMENT OF CONSIDERATION  
AND  
ACTION TAKEN BY PROMULGATING ADMINISTRATIVE BODY

The Department for Medicaid Services (DMS) has considered the comments received regarding 907 KAR 17:005 and is not amending the administrative regulation but has filed a revised Regulatory Impact Analysis and Tiering Statement with the Legislative Research Commission that is revised as follows:

Page 107  
Regulatory Impact Analysis and Tiering Statement  
Subsection (1)(b)

After “managed care regulations.”, insert the following:

DMS amended the definitions (in the administrative regulation filed with the Legislative Research Commission on December 21, 2012) by defining the MCO regions in Section 1 rather than listing them in the body (Section 28) of the administrative regulation as was previously done. This amendment was necessary as this is a definitions administrative regulation and to comport with KRS 13A.222(4)(e) must only contain definitions. Similarly the administrative regulation only contains one section now. Additionally, DMS (in the administrative regulation filed with the Legislative Research Commission on December 21, 2012) inserted a definition of “authorized representative.” This definition is necessary to clarify who can represent a managed care enrollee.

Delete the following:

The definitions are not being amended from what is currently stated in this administrative regulation.