

**STATE OF RHODE ISLAND  
EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES**

**TO: Interested Parties**

**FROM: DHS Office of Policy Development**

**DATE: January 20, 2012**

**SUBJECT: Proposed EOHHS Rule-Making**

---

In accordance with the Administrative Procedures Act, the Executive Office of Health and Human Services is advertising for promulgation the following proposed and amended EOHHS rules. These rules are being amended in compliance with state and federal law and good practice. The proposed rules are as follows:

**MEDICAL ASSISTANCE PROGRAM SECTIONS 0300 and 0382**

This rule change was implemented under emergency rule making January 1, 2012 to ensure the rules were in compliance with state and federal guidance. The Medical Assistance rules are amended to reflect the following: the amount of allowable home equity interest has been increased for individuals seeking eligibility for Medical Assistance nursing facility services or other long-term care services from \$500,000 to \$525,000. In addition, the amount of the equity value of the life estate of an institutionalized individual that can be considered an excluded resource has increased from \$500,000 to \$525,000. This proposed rule is being filed under regular rule making provisions to sustain revisions in the EOHHS MA rules.

**MEDICAL ASSISTANCE PROGRAM  
SECTIONS 0330, 0362, 0370, 0372, 0380, 0392, 0396**

The following standards were implemented under emergency rule making January 1, 2012 to ensure the standards were in compliance with state and federal guidance. The Medical Assistance rules are amended to reflect the following statutory increases: 1) the cap on the Monthly Maintenance Needs Allowance is \$2,841; 2) the Minimum Protected Resource Amount is \$22,728; 3) the Maximum Protected Resource Amount is \$113,640; and 4) the federal cap for institutionalized individuals is \$2,094. The medically needy income limits are increased pursuant to R.I.G.L. 40-8-3. In addition, technical amendments have been made to remove procedures from the rules. This proposed rule is being filed under regular rule making provisions to sustain revisions in the EOHHS MA rules.

These proposed rules are accessible through the RI Secretary of State's Proposed Rules and Regulations Database Search (<http://www.sec.state.ri.us/ProposedRules/>), on the OHHS website ([www.ohhs.ri.gov](http://www.ohhs.ri.gov)) or available in hard copy upon request (401 462-2018). Interested persons should submit data, views or written comments by Monday, February 20, 2012 to Kimberly Merolla-Brito, Office of Policy Development,

Department of Human Services FL # 1, Louis Pasteur Building, 57 Howard Avenue,  
Cranston, RI 02920, [KMerollaBrito@ohhs.ri.gov](mailto:KMerollaBrito@ohhs.ri.gov).