

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

TO: Interested Parties

FROM: Office of Policy Development

DATE: July 1, 2013

SUBJECT: EOHHS Rule-Making

In accordance with the Administrative Procedures Act, the Executive Office of Health and Human Services is advertising for promulgation the following amendment to the Medicaid Program Rules, **Section 0392 Post Eligibility Treatment of Income**. These proposed amendments are in compliance with state and federal law and good practice.

Changes to these rules were filed under emergency rule making for an effective date of July 1, 2013, to implement changes to the Minimum Monthly Maintenance Needs Allowance (MMMNA) in adherence with the Centers for Medicare and Medicaid. Rules are now being filed for regular rule-making to sustain these changes to the MMMNA during the period of the emergency filing in accordance with the Administrative Procedures Act.

The Minimum Monthly Maintenance Needs allowance has been adjusted as follows:

- Community Spouse with no income – increased to \$1,938.75
- Basic allowance for a dependent living with a community spouse when the dependent has no income – increased to \$646.25
- Excess shelter allowance – increased to \$581.63

In the development of this rule, consideration was given to the following: (1) alternative approaches; and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

These proposed rule is accessible on the R.I. Secretary of State website (<http://www.sec.state.ri.us/ProposedRules/>) and the EOHHS website (www.ohhs.ri.gov) or available in hard copy upon request (401 462-2018 or RI Relay, dial 711).

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