



**STATE OF RHODE ISLAND DEPARTMENT OF HUMAN SERVICES
Division of Elderly Affairs**

To: Interested Parties
From: DHS Office of Policy Analysis, Research & Development
Date: December 8, 2021
**Subject: Proposed Amendment to Rules, Regulations and Standards Governing
the Home and Community Care Services to the Elderly Program**

In accordance with the Administrative Procedures Act, the Department of Human Services, Division of Elderly Affairs, is advertising the following proposed and amended rule. This rule is being amended in compliance with State and Federal law and good practice.

**RICR Title 218 – Rhode Island Department of Human Services
Chapter 40 – Division of Elderly Affairs
Part 4 – Rules, Regulations and Standards Governing
the Home and Community Care Services to the Elderly Program**

The proposed amendments to this Rule are due to a State of Rhode Island Fiscal Year 2022 Budget initiative which increased the eligibility for the program from 200 % to 250 % of the Federal Poverty Level. This Amendment also expands program eligibility to the nineteen (19) through sixty-four (64) year old population who have a diagnosis of Alzheimer’s disease or related dementia.

The proposed changes are as follows:

- §§ 4.1.2, 4.1.3 – name change from “Community Care Services to the Elderly Program” to “At Home Supports”
- §4.1.5 – reformatting and rewording of the documents by clearly defining terms such as Activities of Daily Living (ADLs), Alzheimer’s Disease, Case Management, Dementia, Determination of Medical Expenses, Functional Assessment, Functional Impairments, Home and Community Based Services, Homebound, Homemaker Services, Income, Long Term Services and Supports, Office, Person-Centered Options Counseling, Personal Care, and Spouse
- §4.2.1 – change from “seniors” to “individuals”
- §4.2.2 – change from “State funded co-payment” to “At Home Cost-Share”; change from “care coordination” to “case management”; add “adult day care services

- §4.3.1 – remove “Client Eligibility”; remove reference to Overview of Medicaid
- §4.3.2 – change “Copay Client Eligibility” to “At Home Cost Share Program Eligibility”; update program eligibility process
- §4.3.3 – change “Copay” to “At Home Cost Share”; amend income guidelines for Level 1 and Level 2 eligibility; add program income guidelines for new category – Level 3
- §4.4.1 – remove “Income Disregards” section as this information is defined in § 4.1.5

This proposed rule is accessible on the R.I. Secretary of State website (<https://rules.sos.ri.gov/Organizations/SubChapter/218-40-00>) or available in hard copy upon request (401-462-2018 or RI Relay, dial 711). Interested persons should submit data, views or written comments between December 8, 2021 and January 7, 2022 to:

Moise Bourdeau, MS
Policy & Governmental Affairs Director
Department of Human Services
Office of Healthy Aging
Louis Pasteur Building, #57
25 Howard Avenue
Cranston, RI 02920
moise.bourdeau@oha.ri.gov

In accordance with RI General Law 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice (between December 8, 2021 and January 7, 2022).

The Department of Human Services does not discriminate against individuals based on race, color, national origin, sex, gender identity or expression, sexual orientation, religious belief, political belief or handicap in acceptance for or provision of services or employment in its programs or activities.