
**METHODS, STANDARDS AND PRINCIPLES FOR
ESTABLISHING MEDICAID PAYMENT RATES
FOR PRIVATE NONMEDICAL INSTITUTIONS
PROVIDING RESIDENTIAL CHILD CARE SERVICES**

**Explanation of Changes and
Description of Reasons for Decisions Regarding
Final Proposed Rule No. 15P031
Pursuant to 3 V.S.A. § 841
July 9, 2015**

This proposed rule is the final step in amending the *Methods, Standards, and Principles for Establishing Medicaid Payment Rates for Private Nonmedical Institutions Providing Residential Child Care Services* (PNMI rules). The synopsis of the oral comment received is attached. There were no written comments submitted.

Below is the comment the Division received during the comment period of this rulemaking cycle with the Division's response.

Comment: The PNMI providers that fit into the exemption should receive notice that their rate may be affected by the cap, and should be given the opportunity to submit a statement or information for the Placement Authorizing Departments to consider when deciding whether to exempt that program from the cap.

Response: The PNMI providers will receive notice if the cap is applied. When the Division calculates the rate, it must also determine whether the rate should be limited by the cap. V.P.N.M.I.R. §§ 7.4 and 7.5. Before the Division can issue final findings on a funding application to set the rate, the Division must serve draft findings to the affected provider. V.P.N.M.I.R. § 12.1(a). The provider then has appeal rights. V.P.N.M.I.R. § 12.2(a). If the exemption applies to a PNMI provider pursuant to subsection 6.7(c), the provider will receive notice in the draft findings. If the PADs do not grant the exemption, the provider can appeal and present additional information for the PADs to consider.

Based on the comments received, we reviewed the proposed rule and did not make any changes to the text of the proposed rule.