

**NOTICE OF PUBLIC HEARING AND COMMENT PERIOD**

Chapters DHS 10, 101, 105, 106, 107

Clearinghouse Rule Number CR 23-045

NOTICE IS HEREBY GIVEN that the Department of Health Services (“the Department”) will hold a public hearing on a permanent rule to amend DHS 10, 101, 105, 106 and 107, relating to electronic visit verification requirements for certain Medical Assistance services.

**HEARING INFORMATION**

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**Date and Time**

September 7, 2023

11 AM to 12 PM

**Location**

Join ZoomGov Meeting

<https://dhs.wi.zoomgov.com/j/16071266617>

Meeting ID: 160 7126 6617

One tap mobile

+16692545252,,16071266617# US (San Jose)

16468287666,,16071266617# US

+(New York)

**ANALYSIS AND TEXT OF THE RULE**

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Analysis of the rule and the proposed rule text may be accessed at:

[https://docs.legis.wisconsin.gov/code/register/2023/812a1/register/submit\\_proposed/cr\\_23\\_045\\_submittal\\_notice/cr\\_23\\_045\\_rule\\_text/\\_140](https://docs.legis.wisconsin.gov/code/register/2023/812a1/register/submit_proposed/cr_23_045_submittal_notice/cr_23_045_rule_text/_140)**ACCESSIBILITY**

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**English**

The Department of Health Services is an equal opportunity employer and service provider. If you need accommodations because of a disability or need an interpreter or translator, or if you need this material in another language or in an alternate format, you may request assistance to participate by contacting Bailey Dvorak at 608-267-5210. You must make your request at least 7 days before the activity.

**Spanish**

The Department of Health Services es una agencia que ofrece igualdad en las oportunidades de empleo y servicios. Si necesita algún tipo de acomodaciones debido a incapacidad o si necesita un interprete, traductor o esta información en su propio idioma o en un formato alterno, usted puede pedir asistencia para participar en los programas comunicándose con Bailey Dvorak al número 608-267-5210. Debe someter su petición por lo menos 7 días de antes de la actividad.

**Hmong**

The Department of Health Services yog ib tus tswv hauj lwm thiab yog ib qhov chaw pab cuam uas muab vaj huam sib luag rau sawv daws. Yog koj xav tau kev pab vim muaj mob xiam oob qhab los yog xav tau ib tus neeg pab txhais lus los yog txhais ntaub ntawv, los yog koj xav tau cov ntaub ntawv no ua lwm hom lus los yog lwm hom ntawv, koj yuav tau thov kev pab uas yog hu rau Bailey Dvorak ntawm 608-267-5210. Koj yuav tsum thov qhov kev pab yam tsawg kawg 7 hnub ua ntej qhov hauj lwm ntawd.

## **FISCAL ESTIMATE-ECONOMIC IMPACT ANALYSIS**

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The fiscal estimate and economic impact analysis for the rule is available at:

[https://docs.legis.wisconsin.gov/code/register/2023/812a1/register/submit\\_proposed/cr\\_23\\_045\\_submittal\\_notice/cr\\_23\\_045\\_economic\\_impact\\_analysis.pdf](https://docs.legis.wisconsin.gov/code/register/2023/812a1/register/submit_proposed/cr_23_045_submittal_notice/cr_23_045_economic_impact_analysis.pdf)

## **PUBLIC COMMENTS AND DEADLINE FOR SUBMISSION**

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Comments may be provided at the hearing, or submitted to the Department until the end of business 9/8/2023 by:

1. Accessing the Department's Administrative Rules website:  
Active Rulemaking Projects: <https://www.dhs.wisconsin.gov/rules/active-rulemaking-projects.htm>
2. Submitting a comment through the Wisconsin State Legislature's website:  
<http://docs.legis.wisconsin.gov/code/chr/comment>.
3. Mailing written comments to:  
Bailey Dvorak  
Division of Medicaid Services  
P.O. Box 309  
Madison, WI 53701-0309  
Phone: 608-267-5210  
Email: [DHSDMSAdminRules@dhs.wisconsin.gov](mailto:DHSDMSAdminRules@dhs.wisconsin.gov)

## **INITIAL REGULATORY FLEXIBILITY ANALYSIS**

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The proposed rule will have an effect on small businesses, as defined under s. 227.114. There are about 2,200 providers providing in-home personal care and home health services across the state. The state provides an EVV system and comprehensive training to all provider agencies and workers at no cost. Additionally, the department's EVV Customer Care team is offering personalized support for all administrators and workers at any step of the EVV process at no charge. Administrative costs related to change management are anticipated but indeterminable. An agency may choose to purchase an alternate EVV system and would incur additional costs for the alternate EVV system. An agency that opts to use an alternative EVV system may incur costs for training staff to use the alternate EVV system and the cost of additional technology for staff to use the alternate system, as applicable.

## **SMALL BUSINESS REGULATORY REVIEW COORDINATOR**

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Bailey Dvorak  
Division of Medicaid Service  
P.O. Box 309  
Madison, WI 53701-030

## **AGENCY CONTACT PERSON**

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Bailey Dvorak  
Division of Medicaid Services  
Phone: 608-267-5210  
Email: [DHSDMSAdminRules@dhs.wisconsin.gov](mailto:DHSDMSAdminRules@dhs.wisconsin.gov)

## **APPROVAL**

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Approved on: \_\_\_\_\_

By: \_\_\_\_\_

Kirsten Johnson, Secretary-designee