

Medicaid Rules and Regulations

Chapter 22

Determination of Nursing Facility of Level of Care

Intent to Adopt Amended Rule

Statement of Reasons

The Wyoming Department of Health proposes to amend Chapter 22 of its Rules and Regulations pursuant to the Medical Assistance and Services Act at Wyoming Statutes §§ 42-4-101 through 42-4-306.

Chapter 22 establishes the methods and standards for determining whether an individual requires, or continues to require, the level of care provided in a nursing facility. The determination made pursuant to this Chapter shall be used in consideration of eligibility for applicable Wyoming Medicaid long-term care services and programs.

The amendment more accurately describes the nursing facility level of care determination process, separates the level of care determination process from service reimbursement policies, and updates the terminology to remove the use of the term “medical necessity” in the long term care determination.

The amendment also describes the procedure to request a level of care determination and the procedure to request reconsideration or an administrative hearing of the Department’s nursing facility level of care determination.

As required by W.S. § 16-3-103(a)(i)(G), this proposed change meets minimum substantive state statutory requirements.