

Tennessee Department of Finance and Administration

Bureau of TennCare

Chapter 1200-13-13
TennCare Medicaid

Statement of Necessity Requiring Public Necessity Rules

I am herewith submitting amendments to the rules of the Tennessee Department of Finance and Administration, Bureau of TennCare, for promulgation pursuant to the public necessity provisions of the Uniform Administrative Procedures Act, T.C.A. § 4-5-209 and the Medical Assistance Act, T.C.A. § 71-5-134.

The State of Tennessee received federal approval for certain amendments to the TennCare Demonstration Project (No. 11-W-0015 1/4). Approval of the project modification is granted under the authority of Section 1115 (a) of the Social Security Act. The amendments are approved through the period ending June 30, 2007. The TennCare program is a managed care program for both the Medicaid population and the expansion population.

This rule is being amended to delete the section of the TennCare Medicaid rules that addresses the TennCare Partners State-Only Program since the responsibility for these services is being transferred to the Tennessee Department of Mental Health and Developmental Disabilities. These services are not provided with Medicaid funds, but with State-only funds under the direction of TDMHDD.

Tennessee Code Annotated, Section 71-5-134, states that in order to comply with or to implement the provisions of any federal waiver or state plan amendment obtained pursuant to the Medical Assistance Act as amended by Acts 1993, the Commissioner of Finance and Administration is authorized to promulgate public necessity rules pursuant to Tennessee Code Annotated, Section 4-5-209.

I have made a finding that these amendments are required to ensure that persons being disenrolled from TennCare Medicaid under provisions outlined elsewhere in these rules are not provided the opportunity to simply come back into the TennCare program as State-only eligibles.

For a copy of this public necessity rule, contact George Woods at the Bureau of TennCare by mail at 310 Great Circle Road, Nashville, Tennessee 37243 or by telephone at (615) 507-6446.

J. D. Hickey
Deputy Commissioner
Tennessee Department of Finance
and Administration

Public Necessity Rules
of
Tennessee Department of Finance and Administration
Bureau of TennCare
Chapter 1200-13-13
TennCare Medicaid
Amendment

Rule 1200-13-13-.14 TENNCARE PARTNERS STATE-ONLY PROGRAM is deleted in its entirety.

Statutory Authority: T.C.A. 4-5-209, 71-5-105, 71-5-109, 71-5-134 and Executive Order No. 23.

The Public Necessity rules set out herein were properly filed in the Department of State on the 18th day of August, 2005, and will be effective from the date of filing for a period of 165 days. The Public Necessity rules remain in effect through the 30th day of January, 2006.