

BEFORE THE DEPARTMENT OF PUBLIC
HEALTH AND HUMAN SERVICES
OF THE STATE OF MONTANA

In the matter of the amendment of) CORRECTED NOTICE OF
ARM 37.79.326, 37.85.104,) AMENDMENT
37.85.105, 37.85.106, 37.86.3607,)
and 37.87.1226 pertaining to)
updating Medicaid and non-Medicaid)
provider rates, fee schedules, and)
effective dates)

TO: All Concerned Persons

1. On July 7, 2023, the Department of Public Health and Human Services published MAR Notice No. 37-1037 pertaining to the public hearing on the proposed amendment of the above-stated rules at page 646 of the 2023 Montana Administrative Register, Issue Number 13. On September 8, 2023, the department published the notice of amendment of the above-stated rules at page 1025 of the 2023 Montana Administrative Register, Issue Number 17. The amended rules were retroactively effective to July 1, 2023.

2. In the September 8, 2023 notice of amendment on page 1028, in response to Comment #5, the department stated that it would increase the psychological testing policy adjuster from 145% to 200% in ARM 37.85.105 and would make the change effective July 1, 2023. The effective date on the final version of the adoption notice, however, was mistakenly not changed. This corrected notice is filed to effectuate the change to ensure the psychological testing policy adjuster is effective July 1, 2023.

3. The rule, as adopted in corrected form, reads as follows, deleted matter interlined, new matter underlined:

37.85.105 EFFECTIVE DATES, CONVERSION FACTORS, POLICY ADJUSTERS, AND COST-TO-CHARGE RATIOS OF MONTANA MEDICAID PROVIDER FEE SCHEDULES (1) through (2)(b) remain as adopted.

(c) Policy adjustors are effective ~~July 1, 2022~~ July 1, 2023. The maternity policy adjustor is 100%. The family planning policy adjustor is 105%. The psychological testing policy adjustor is 200%. The psychological testing policy adjustor applies only to psychologists.

(d) through (6) remain as adopted.

AUTH: 53-2-201, 53-6-113, MCA

IMP: 53-2-201, 53-6-101, 53-6-125, 53-6-402, MCA

/s/ Brenda K. Elias
Brenda K. Elias
Rule Reviewer

/s/ Charles T. Brereton
Charles T. Brereton, Director
Department of Public Health and Human
Services

Certified to the Secretary of State October 24, 2023.