

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

In the matter of the adoption of New) NOTICE OF DECISION ON
Rule I and the amendment of ARM) PROPOSED ADOPTION AND
37.40.1426 pertaining to home and) AMENDMENT
community-based services)

TO: All Concerned Persons

1. On August 7, 2020, the Department of Public Health and Human Services (department) published MAR Notice No. 37-928 pertaining to the public hearing on the proposed adoption and amendment of the above-stated rules at page 1486 of the 2020 Montana Administrative Register, Issue Number 15.

2. A public hearing on the notice of proposed adoption and amendment of the above-stated rules was scheduled to be held on August 27, 2020. That public hearing was cancelled.

3. The primary intent of these proposed rules changes is to place an existing policy manual, in its current form, into rule to increase accessibility and awareness. Initial public comment and communications from our partners have indicated that there is significant confusion and concern about the effects of this change on the delivery of waiver benefits and services. Accordingly, the department hereby withdraws MAR Notice No. 37-928 from consideration and will invest time and consideration in revisiting the provisions of the policy manual to address these concerns before committing them to rule.

4. The department remains committed to its mission to protect the health and well-being of Montanans.

/s/ Nicholas Domitrovich
Nicholas Domitrovich
Rule Reviewer

/s/ Sheila Hogan
Sheila Hogan, Director
Public Health and Human Services

Certified to the Secretary of State September 1, 2020.