

NOTICE OF RULE MAKING

The Department of Human Services (DHS) announces for a public comment period of thirty (30) calendar days a notice of rulemaking for the following proposed rule under one or more of the following chapters, subchapters, or sections of the Arkansas Code: §§20-76-201, 20-77-107, and 25-10-129. The projected effective date of the rule is February 1, 2027, if approved. The fiscal impact is \$1,225,000.00 for State Fiscal Year (SFY) 2027 and \$2,940,000.00 for SFY 2028.

The 95th Arkansas General Assembly passed Acts 568, 967, and 1025 to ensure that the Arkansas Medicaid program provides reimbursement for dental and anesthesia costs for high complexity oral health care to Medicaid beneficiaries, including sedation dentistry to individuals with intellectual or developmental disabilities (I/DD). To implement the Acts the Division of Medical Services updates the Arkansas Medicaid Dental Provider Manual and submits to the Centers for Medicare & Medicaid an amendment to the Arkansas Medicaid State Plan.

The updates to the manual extend benefits beginning February 1, 2027, so that adult beneficiaries may receive an extension of benefits if the record justifies the need for general anesthesia by showing the beneficiary has failed dental treatment in a traditional office/clinic setting and meets certain criteria. Either the adult beneficiary has unrepaired or incompletely repaired craniofacial anomalies, oral or perioral pathology, or trauma requiring surgical intervention, or, they have an intellectual or behavioral disability that results in significantly increased safety risks for clinic-based care, with at least one of five identified measures. Other updates to the manual include removal of references to dental managed care providers and adding a new section, "Extension of Benefits for Adult Services," to establish necessary documentation of the justification for sedation dentistry. The State Plan Amendment proposes updates clarifying sedation dentistry requirements and moves denture coverage to the proper state plan coverage benefit pages.

The proposed rule is available for review at the Department of Human Services (DHS) Office of Policy and Rules, 2nd floor Donaghey Plaza South Building, 7th and Main Streets, P. O. Box 1437, Slot S295, Little Rock, Arkansas 72203 1437. You may also access and download the proposed rule at ar.gov/dhs-proposed-rules. Public comments can be submitted in writing at the above address or at the following email address: ORP@dhs.arkansas.gov. All public comments must be received by DHS no later than November 21, 2026. Please note that public comments submitted in response to this notice are considered public documents. A public comment, including the commenter's name and any personal information contained within the public comment, will be made publicly available and may be seen by various people.

A public hearing will be held online by remote access. Public comments may be submitted at the hearing. The details for attending the online public hearing appear at ar.gov/dhspublichearings.

If you need this material in a different format, such as large print, contact the Office of Policy and Rules at 501-320-6428. The Arkansas Department of Human Services is in compliance with Titles VI and VII of the Civil Rights Act and is operated, managed and delivers services without regard to religion, disability, political affiliation, veteran status, age, race, color or national origin.

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