

173-43-04

**Long-term care consultation program: time frames.**

(A) The program administrator shall complete every long-term care consultation no later than five calendar days after it receives a request for the long-term care consultation, unless the program administrator has an exemption from the five-day time frame under paragraph (B) of this rule.

(B) Exemptions:

- (1) If an individual has applied for medicaid coverage, the program administrator shall complete the long-term care consultation in accordance with the applicable time frame for providing a ~~face-to-face~~ level-of-care determination.
- (2) An individual (or the individual's representative) may request that the program administrator provide a long-term care consultation before or after the date required under paragraph (A) of this rule. In such cases, the program administrator shall provide the long-term care consultation at a time that is mutually agreed-upon between the individual (or the individual's representative) and the program administrator.
- (3) If the program administrator cannot complete the long-term care consultation before the date required under paragraph (A) of this rule, the program administrator shall provide the long-term care consultation as soon as practicable.

Effective: 12/31/2020

Five Year Review (FYR) Dates: 10/16/2020 and 11/28/2025

CERTIFIED ELECTRONICALLY

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Certification

12/21/2020

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Date

Promulgated Under: 119.03

Statutory Authority: 121.07, 173.01, 173.02, 173.42

Rule Amplifies: 173.42; 42 U.S.C. 3002, 3012, 3025, 3032

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06/11/2020 (Emer.)