

Sept. 30, 2021

PUBLIC NOTICE

Public Notice of Final Action for the Revision of the Definition of DME

The South Carolina Department of Health and Human Services (SCDHHS) gives notice of the following action to revise the durable Medical equipment (DME) definition under the State Plan under Title XIX of the Social Security Act Medical Assistance Program (Medicaid).

Effective on or after Oct. 1, 2021, SCDHHS will amend the South Carolina Title XIX State Plan to revise the DME definition to comply with 42 CFR §440.70(b)(3). The Centers for Medicare and Medicaid Services expanded the definition of home health medical supplies, equipment and appliances to clarify that items are suitable for use in any non-institutional setting in which normal life activities take place as defined in 42 CFR §440.70(c)(1). This definition revision will align with Medicare DME definition at 42 CFR §414.202 and will help streamline beneficiaries' access to needed items. The previous definition restricted use of medical supplies, equipment and appliances to those suitable for use in the home.

Based on the actions above, SCDHHS anticipates a budget impact of approximately \$1.5 million per year.

Copies of this notice are available at each South Carolina Healthy Connections Medicaid county office and at www.scdhhs.gov for public review. Additional information regarding these actions is available upon request at the address cited below.

Any written comments submitted may be reviewed by the public at the SCDHHS, Office of Health Programs, 1801 Main Street, Columbia, South Carolina, Monday through Friday between the hours of 9 a.m. and 5 p.m.

Robert M. Kerr
Director

Notice of Non-Discrimination

The South Carolina Department of Health and Human Services (SCDHHS) complies with applicable federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex. SCDHHS does not exclude people or treat them differently because of race, color, national origin, age, disability, or sex.

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If you believe SCDHHS has failed to provide these services or discriminated in another way on the basis of race, color, national origin, age, disability, or sex, you can file a grievance with the Civil Rights Official using the contact information provided above. You can file a grievance in person, by mail, or via email. If you need help filing a grievance, we are available to help you.

You can also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights, electronically through the Office for Civil Rights Complaint Portal, available at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf> or by mail or phone at: U.S. Department of Health and Human Services, 200 Independence Avenue, SW, Room 509F, HHH Building, Washington, D.C. 20201 or by phone at: 800-368- 1019, 800-537-7697 (TDD). Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html> .