

**AHCCCS NOTICE OF PUBLIC INFORMATION
INTENT TO SUBMIT A STATE PLAN AMENDMENT (SPA)**

Name of the Agency: Arizona Health Care Cost Containment System (AHCCCS)

The topic of the public information notice: Inform the public of AHCCCS intent to submit a State Plan Amendment.

SPA Title: Clinic Services Four Walls Exception

SPA Overview: This SPA provides an exception to the clinic services benefit four walls requirement for IHS/Tribal Facilities and Behavioral Health Clinics.

Tribal Consultation:

AHCCCS consulted with Tribes regarding this SPA on May 7, 2025. Below is a link to more information regarding the tribal consultation meeting.

https://www.azahcccs.gov/AmericanIndians/Downloads/Consultations/Meetings/2025/5725_Tri-AgencyDeck-SanCarlosApacheHealthcare.pdf

State Plan Amendment and Public Comment Period

The proposed SPA is located on the next page of this document.

Public notice was posted on May 5th, 2025.

Comments will be accepted through June 4th, 2025.

Comments can be submitted through email or postal mail. The addresses where comments may be sent are provided below.

- Email:
publicinput@azahcccs.gov
- Postal Mail:
AHCCCS
Attn: Division of Community Advocacy and Intergovernmental Relations
801 E. Jefferson St., MD 4200
Phoenix, AZ 85034

**State Plan under Title XIX of the Social Security Act
State/Territory: Arizona**

Section 1905(a)(9) Clinic Services

The state provides coverage for this benefit as defined at section §1905(a)(9) of the Social Security Act (the Act) and 42 C.F.R. 440.90 and as described as follows:

General Assurances

- The state assures services are furnished by a facility that is not part of a hospital in accordance with 42 C.F.R. 440.90.
- The state assures that services are furnished by facilities that are organized and operated to provide medical care to outpatients in accordance with 42 C.F.R. 440.90.
- The state assures that services are furnished under the direction of a physician or dentist in accordance with 42 C.F.R. 440.90(a).

Types of Clinic Services and Limitations in Amount, Duration, or Scope

- Limitations apply to all services within the benefit category. Limitations of the Clinic Service benefit are described in Attachment 3.1-A of the State Plan.

Types of Clinics and Services:

- Behavioral Health Clinics:
 - Limitations apply only to this clinic type within the benefit category. Limitations of the Clinic Service benefit are described in Attachment 3.1-A of the State Plan.

PRA Disclosure Statement - This use of this form is mandatory and the information is being collected to assist the Centers for Medicare & Medicaid Services in implementing section §1905(a)(9) of the Social Security Act. Under the Privacy Act of 1974, any personally identifying information obtained will be kept private to the extent of the law. An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. The OMB control number for this project is 0938-1148 (CMS-10398 #91). Public burden for all of the collection of information requirements under this control number is estimated to take about 25 hours per response. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to CMS, 7500 Security Boulevard, Attn: Paperwork Reduction Act Reports Clearance Officer, Mail Stop C4-26-05, Baltimore, Maryland

TN: 25-0001
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Effective: 1/1/2025

State Plan under Title XIX of the Social Security Act
State/Territory: Arizona

Section 1905(a)(9) Clinic Services

IHS and Tribal Clinics:

Limitations apply only to this clinic type within the benefit category. Limitations of the Clinic Service benefit are described in Attachment 3.1-A of the State Plan.

Renal Dialysis Clinics:

Limitations apply only to this clinic type within the benefit category. Limitations of the Clinic Service benefit are described in Attachment 3.1-A of the State Plan.

Other Clinics:

Limitations apply only to this clinic type within the benefit category.

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Section 1905(a)(9) Clinic Services

Four Walls Exceptions

The state assures that the following services may be furnished outside of the clinic:

- Services furnished outside the clinic, by clinic personnel under the direction of a physician, to an eligible individual who does not reside in a permanent dwelling or does not have a fixed home or mailing address in accordance with 42 C.F.R. 440.90(b).

- Services furnished outside a clinic that is a facility of the Indian Health Service, whether operated by the Indian Health Service (IHS) or by a Tribe or Tribal organization (as authorized by the Indian Self-Determination and Education Assistance Act (ISDEAA), Pub. L. 93-638), by clinic personnel under the direction of a physician in accordance with 42 C.F.R. 440.90(c).

The state elects to cover the following services outside of the clinic [Select all that apply.]:

- Services furnished outside of a clinic that is primarily organized for the care and treatment of outpatients with behavioral health disorders, including mental health and substance use disorders, by clinic personnel under the direction of a physician in accordance with 42 C.F.R. 440.90(d).

- Services furnished outside of a clinic that is located in a rural area and is not a rural health clinic (as referenced in section §1905(a)(2)(B) of the Act and 42 C.F.R. 440.20(b) of this subpart) by clinic personnel under the direction of a physician in accordance with 42 C.F.R. 440.90(e).

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Section 1905(a)(9) Clinic Services

Four Walls Exceptions (continued)

- A definition adopted and used by a federal governmental agency for programmatic purposes:
- A definition adopted by a state governmental agency with a role in setting state rural health policy:

[ARS Title 36, Public Health and Safety, § 36-2171](#) defines rural as either: 1) A county with a population of less than four hundred thousand persons according the most recent United States decennial census; or 2) A census county division with less than fifty thousands persons in a county with a population of four hundred thousand or more persons according to the most recent United States decennial census.

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Section 1905(a)(9) Clinic Services

The state attests that:

- The selected definition of a rural area best captures the population of rural individuals that meets more of the four criteria that mirror the needs and barriers to access experienced by individuals who are unhoused:
- The population experiences high rates of behavioral health diagnoses or difficulty accessing behavioral health services;
 - The population experiences issues accessing services due to lack of transportation;
 - The population experiences a historical mistrust of the health care system; and
 - The population experiences high rates of poor health outcomes and mortality.

Additional Benefit Description (Optional)

At its option the state may provide additional descriptive information about the benefit, beyond what is included in the federal regulatory statutory and regulatory definitions and descriptions. **[Describe below.]**:

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