

March 6, 2020

Anne Ronan
Arizona Center for Law in the Public Interest
514 W. Roosevelt St.
Phoenix, AZ 85003

Dear Ms. Ronan:

This letter is in response to your February 26, 2020 correspondence to the AHCCCS Administration (AHCCCS) outlining your ongoing concerns regarding the Department of Economic Security/Division of Developmental Disability's (DES/DDD's) coverage of augmentative and alternative communication (AAC) devices. Those concerns articulated by the Arizona Center for Law in the Public Interest (ACLPI) include the Division's coverage policies which fail to comply with state and federal law, "boiler plate" denial reasons, lack of individualized determinations, excessive denials of devices, and DES/DDD's failure to effectively collaborate with providers. Your February 26th letter also suggests that AHCCCS approved DES/DDD's policies and process for denying AAC devices. As clarification for ACLPI, AHCCCS does not approve managed care organization policies. Thus, AHCCCS did not approve DES/DDD's AAC policy, nor was AHCCCS involved in the denials which the Division has issued.

AHCCCS understands and shares your concerns; we have instituted a number of critical activities to address the serious nature of these practices. For reference, we have attached the AHCCCS March 4, 2020 Notice to Cure which discusses the breadth of compliance issues that require immediate action by DES/DDD, including AAC policy provisions that are not consistent with federal law. In addition, DES/DDD is currently finalizing a task order for a consultant with clinical expertise who will be responsible, in part, for evaluating current DES/DDD policy, guidance documents and practices, reviewing national best practices for the coverage of AAC devices, and issuing recommendations. Recently, DES/DDD also convened forums with providers to understand and address their particular concerns pertaining to the AAC guidance documents. To further underscore the critical attention required of DES/DDD, AHCCCS will hold ongoing meetings with DES leadership during which AHCCCS will evaluate the Division's progress, review reporting from DES/DDD, and review strategies that have been implemented as well as those that are planned to fully remediate concerns. Moreover, in addition to implementing a series of corrective actions specific to the Division's AAC policies and protocols, DES/DDD has proactively committed to submitting a comprehensive plan of correction to AHCCCS next month addressing the full range of outstanding compliance concerns.

AHCCCS appreciates your dedication to families throughout the State and your advocacy to facilitate the provision of vital health care services through Arizona's public assistance programs.

Should you have additional questions, do not hesitate to contact me.

Sincerely,



Jami Snyder
Director