**Advance Notice of Rulemaking**

**Proposed Amendments to: N.J.A.C. 10:64, Hearing Aid Services**

To whom it may concern:

This notice provides you and your organization with advance notice that the New Jersey Department of Human Services will propose amendments to N.J.A.C. 10:64, Hearing Aid Services.

The substantial proposed changes will amend the existing rule to:

* Update the list of Healthcare Common Procedure Coding System (HCPCS) procedure codes, their descriptions, and maximum reimbursement amounts;
* Amend the language regarding the replacement of hearing aids within one year from the initial dispensing to require prior authorization with documentation explaining the problem with the original equipment;
* Amend the language regarding the reimbursement for repair of hearing aids not covered by manufacturer’s warranty to include specific “insurance, shipping, and handling costs” instead of the generic term “service fee” that is currently in the rules;
* Delete Level III HCPCS Codes because they are no longer recognized by CMS as valid codes; and
* Codify the federal requirement that the providers obtain a National Provider Identifier (NPI) and valid taxonomy code for their provider type. Providers were notified of the federal requirement to obtain a NPI and taxonomy code via DMAHS Newsletter Volume 16, Number 18, in December 2006. The proposed amendment updates the rule to memorialize this change.

Additionally, non-substantial amendments will be proposed and may include technical amendments to correct grammar, spelling, organization of the chapter, contact information, websites, and/or citation references in the rule text.

N.J.A.C. 10:64, Hearing Aid Services, can be downloaded free of charge at <http://www.lexisnexis.com/hottopics/njcode>

This notice provides you with an opportunity to submit informal comments on the proposed amendments by       August 21, 2024       .

Please submit all comments to:

Margaret M. Rose  Attn:  N.J.A.C. 10:64 Advance Notice

Mail:   Division of Medical Assistance and Health Services

Office of Legal and Regulatory Affairs

Mail Code #26

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Email: Margaret.Rose@dhs.state.nj.us

NOTE:  You will also be given a 60-day opportunity to submit formal comments on the proposed amendments subsequent to its publication in the New Jersey Register.   This office will notify you of the exact date of publication and the due date for submission of formal comments once the New Jersey Office of Administrative Law confirms the date of publication of the proposal.

General feedback or comments on any Medicaid/NJ FamilyCare rule or program is always welcome and can be submitted in the manner described above for consideration and possible inclusion in future rulemakings.

Thank you for your interest in the New Jersey Medicaid/NJ FamilyCare program.