

1 10A NCAC 22F .0704 is readopted with changes as published in 32:13 NCR 1258–1268 as follows:

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3 **10A NCAC 22F .0704 RECIPIENT MANAGEMENT LOCK-IN SYSTEM**

4 (a) The Division shall have methods and procedures for the control of recipient overutilization of Medicaid benefits.
5 These methods and procedures shall include Lock-In of a recipient, shown to be an overutilizer, to specified providers
6 of health care and services, as set out in 42 C.F.R. 440.230, 440.260, and 431.54(e), which are adopted and
7 incorporated by reference with subsequent changes or amendments and available free of charge at
8 <https://www.ecfr.gov/>, ~~services.~~

9 (b) Prior to implementing Lock-In, ~~Lock-In~~ the following steps shall be taken:

- 10 (1) Recipient's utilization pattern shall ~~will~~ be documented as inappropriate;
- 11 (2) Recipient shall ~~will~~ be notified that the State is imposing a Lock-In procedure;
- 12 (3) Recipient shall ~~will~~ be offered the opportunity to select a provider;
- 13 (4) In the event the recipient fails to select a provider, a provider shall ~~will~~ be selected for him or her
14 by the Division of Medical Assistance; and
- 15 (5) Recipient shall ~~will~~ receive an eligibility card indicating the selected providers.

16 (c) Recipient utilization patterns shall ~~will~~ be reviewed periodically to determine if changes have occurred. If the
17 utilization pattern has been corrected, the Lock-In status shall end; ~~will be ended;~~ if the utilization pattern remains
18 inappropriate aberrant; Lock-In status shall continue. ~~will be continued.~~

19 (d) Division may Lock-In a recipient provided:

- 20 (1) ~~the~~The recipient is given notice and an opportunity for a hearing before imposing restriction,
21 pursuant to ~~state statutes governing appeals by public assistance~~ G.S. 150B-23; and recipients.
- 22 (2) ~~the~~The Division assures that the recipient has reasonable access to Medicaid care and services of
23 adequate quality.

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25 *History Note:* Authority G.S. 108A-25(b); 108A-64; 108A-79; 42 C.F.R. 440.230; 42 C.F.R. 440.260; 42 C.F.R.
26 Part 431; 42 C.F.R. 431.54; 42 C.F.R. Part 455; 42 C.F.R. Part 456;
27 Eff. May 1, 1984; 1984.
28 Readopted Eff. July 1, 2018.
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