

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID

DATE: Friday, May 17, 2019
TIME: 11:00 a.m.
LOCATION: 50 West Town Street, Room A501
Columbus, Ohio 43215

Pursuant to Sections 5162.03, 5164.02, and 5166.02 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Medicaid (ODM) gives notice of the department's intent to consider the adoption of the rules as identified below and of a public hearing thereon.

Rule 5160-44-12, entitled “Nursing facility-based level of care home and community-based services programs: home maintenance and chore services,” is being proposed as new to update policy relating to the administration of the nursing facility-based level of care (NF-based LOC) home and community-based services (HCBS) waivers. This rule sets forth the definitions of services, provider requirements and specifications for the delivery of home maintenance and chore services.

Rule 5160-44-14, entitled “Nursing facility-based level of care home and community-based services programs: community integration services,” is being proposed as new to update policy relating to the administration of the NF-based LOC HCBS waivers. This rule sets forth the definitions of services, provider requirements and specifications for the delivery of community integration services.

Rule 5160-44-26, entitled “Nursing facility-based level of care home and community-based services programs: community transition services,” is being proposed as new to update policy relating to the administration of the NF-based LOC HCBS waivers. This rule sets forth the definitions of services, provider requirements and specifications for the delivery of community transition services.

Rule 5160-46-04, entitled “Ohio home care waiver: definitions of the covered services and provider requirements and specifications,” is being proposed for amendment to update policy relating to the administration of the NF-LOC HCBS waivers. This rule sets forth the definitions of services, provider requirements and specifications for the delivery of Ohio Home Care Waiver services. The rule is being amended to specify that personal care aide services do not include household chores, tasks performed, or services provided as part of the home maintenance and chore service set forth in rule 5160-44-12 of the Administrative Code. Washing floors is considered a general homemaking activity and is included in personal care aide services.

Rule 5160-46-06, entitled “Ohio home care waiver program: reimbursement rates and billing procedures,” is being proposed for amendment to update the policy related to the administration of the Ohio Home Care Waiver and to align policy and service rates in the PASSPORT and Ohio Home Care Waiver programs. This rule sets forth the

reimbursement rates and billing procedures for Ohio Home Care Waiver services. It is adding waiver service rates for services being added to the Ohio Home Care Waiver and that are in alignment with the PASSPORT waiver. Changes include addition of the definition of “bid rate” to paragraph (A); and addition of billing codes, services, billing units and Medicaid maximum rates for community integration, community transition, and home maintenance and chore services to Table (B).

Rule 5160-58-04, entitled “MyCare Ohio waiver: covered services and providers,” is being proposed for amendment to update policy related to the Ohio Medicaid MyCare Ohio program. This rule sets forth the covered services and providers for the MyCare Ohio HCBS waiver. Changes include: changing references for waiver rules to new rules in Chapter 5160-44 that will also be implemented 7/1/19; and adding OAC references for waiver rules in Chapter 173-39. These changes are in coordination with the ODM/ODA waiver alignment initiative.

A copy of the proposed rules are available at the address listed below and without charge, to any person affected by the rule and at the county department of job and family services. The proposed rules are also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rules will be held at the date, time and location listed at the top of this notice. Written and oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rules or comments on the rules should be submitted by mail to the Ohio Department of Medicaid, Office of Legal Counsel, 50 West Town Street, Suite 400, Columbus, Ohio 43215, by fax at (614) 995-1301, or by e-mail at rules@medicaid.ohio.gov. Comments received may be reviewed upon request.