

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID**

DATE: May 17, 2019
TIME: 11:00 AM
LOCATION: Lazarus Building, 50 West Town Street, Room A501
Columbus, Ohio 43215

Pursuant to Chapter 119 and section 5167.02 of the Revised Code, the director of the Ohio Department of Medicaid (ODM) gives notice of the Department's intent to amend, or rescind and file as new of the rules identified below and of a public hearing thereon.

Rule 5160-26-09.1, entitled “Managed health care programs: third party liability and recovery,” sets forth the coordination of benefits and third-party liability requirements for managed care and MyCare Ohio plans. It is being proposed for amendment to update policy related to the administration of the Medicaid managed care program and for five year rule review. Changes to the rule include: adding the term “waste” when speaking of “fraud, waste and abuse” to coincide with 42 CFR 438, updating CFR and USC dated references, removing prenatal care for pregnant women under coordination of benefits to align with the Bipartisan Budget Act of 2018, clarifying when the managed care plan is a payer prior to certain resources and but after any third party insurer, specifying that managed care plans must share third party payer information with providers on the explanation of payment, and other grammatical and technical edits throughout.

The proposed rules are 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. Both 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.