

**PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF MEDICAID**

**DATE:** December 16, 2019  
**TIME:** 12:30 PM  
**LOCATION:** Room A410, Lazarus Building  
50 W. Town St., Columbus, Ohio 43215

Pursuant to 5164.02 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Medicaid gives notice of the department's intent to consider the adoption, amendment, or rescission of the rule or rules as identified below and of a public hearing thereon.

**TO BE AMENDED**

**Ohio Administrative Code rule 5160-1-17.8** entitled "Provider screening and application fee" will be proposed for amendment. The rule sets forth the Medicaid policy relating to provider screening and payment of an application fee if required. The rule states the three screening risk levels and exemptions from the screening requirement. Also stated are the five exclusionary offense categories and the criminal offenses for each category. Circumstances by which a provider can participate in the Medicaid program even with a disqualifying offense are also stated.

This rule is being revised to exempt specified behavioral health provider types from the impact of the exclusionary offenses' requirement stated in the rule. This is being done upon request from stakeholders as the application of the requirement could prevent several practitioners from being able to render services. The provider types are peer recovery supporters, practitioners licensed by Ohio Chemical Dependency Professionals Board, and practitioners licensed by the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board. In addition, language is being added to clarify the list of databases that, if an applicant is listed on a database, could prevent the applicant from receiving a Medicaid provider agreement. Language was added to reference section 2953.25 of the Revised Code to inform stakeholders that ODM will use the discretion provided in this statute to review certificates of qualification for employment granted to individuals with permanent exclusionary disqualifying offenses on a case-by-case basis before deciding whether or not to approve a provider agreement. This added level of review for the highest category of disqualifying offense ensures Medicaid recipient safety. Lastly, the rule is being updated to remove discontinued provider types from the appendix.

Copies of the proposed rules are available, without charge, at the address listed below. The 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. Both written and oral testimony will be taken at the public hearing. Written testimony 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 and testimony on the rules should be submitted by mail to the Ohio Department of Medicaid Rule Administrator, Office of Chief Legal Counsel, 50 W. Town St., Suite 400, Columbus, Ohio 43215-3414, by fax at (614) 995-1301, or by e-mail at [Rules@Medicaid.Ohio.gov](mailto:Rules@Medicaid.Ohio.gov). Testimony received may be reviewed at this address.