

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID

DATE: **10/21/2021**

TIME: **11:00 AM**

Teleconference Dial-in Phone Number: **1-614-721-2972**

Teleconference Pin: **1198752303#**

Link to Microsoft Teams Meeting for Hearing: [Click here to join the meeting](#)

In-Person Location: **Lazarus Building-Room A501**

Pursuant to Chapter 119. and section 5164.02 of the Revised Code, the Director of the Ohio Department of Medicaid (ODM) gives notice of ODM's intent to consider the adoption, amendment, or rescission of the rules identified below and of a public hearing thereon.

Rule 5160-2-02, entitled General provisions: hospital services, is being proposed for rescission as greater than fifty percent of the rule is being amended. This rule establishes the definition of terms used in Chapter 5160-2 of the Administrative Code. The provisions of this rule are being updated and incorporated into new Ohio Administrative Code (OAC) rule 5160-2-02.

Rule 5160-2-02, entitled General provisions: hospital services, is being proposed for adoption. This rule establishes the definition of terms used in Chapter 5160-2 of the Administrative Code. The proposed new rule redefines and reorganizes existing definitions in the proposed rescinded OAC rule 5160-2-02 as well as establishes definitions for new terms to be consistent with current policy. New terms defined include inpatient psychiatric facilities, practitioner of physician services, and Enhanced Ambulatory Patient Groups (EAPG). The proposed new rule clarifies that a practitioner of physician services may bill the Department separately for their services rendered in a hospital setting. Additional changes to this rule are being proposed to clarify exceptions to the existing three-calendar day roll-in policy. Exceptions are: (1) payer source changes; (2) patients admitted under the Inpatient Hospital Services Program (IHSP); and (3) when outpatient behavioral health services are provided within three calendar days of an inpatient admission.

ODM will hold the public hearing for this rule package via teleconference and in-person. All in-person attendees are required to follow ODM health and safety protocols, including temperature checks, wearing a face mask, and practicing social distancing when inside the ODM offices. The date and time for this hearing are listed at the top of this Notice as well as the phone number, PIN (access code), and link for teleconference attendance, and location for in-person attendance.

All interested parties are invited to participate in the public hearing. Both oral and written testimony will be accepted for this hearing and will be given the same consideration. Those who want to give oral testimony are asked to send an email to Rules@Medicaid.Ohio.gov no later than one hour before the hearing to be added to the witness list. There will be a final call at the end of the hearing for those who wish to offer oral testimony but do not yet appear on the witness list.

Written comments submitted via fax, United States Postal Service, and email that are received or postmarked no later than the day of the hearing will be accepted as testimony and become part of the hearing record. All testimony will become public record; therefore, the Ohio Department of Medicaid asks that protected health information be excluded unless the information belongs to the person submitting the testimony or a person for which the submitter is a legal guardian. Written testimony sent via email is highly recommended. All persons who submit testimony via email will receive a confirmation of receipt.

A copy of the proposed rules are available, without charge, to any person at the address listed below. The rules are also available on the internet at <http://www.registerofohio.state.oh.us/>. 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 W. Town Street, Suite 400, Columbus, Ohio 43215-3414, by fax at (614) 995-1301, or by e-mail at Rules@Medicaid.Ohio.gov.