

**AMENDED LEGAL NOTICE  
STATE OF OHIO  
OHIO DEPARTMENT OF MEDICAID**

Pursuant to section 1902(a)(13)(A) of the Social Security Act and 42 CFR 447.205, the director of the Ohio Department of Medicaid (department) gives notice of the department's intent to modify provisions relating to the reimbursement of nursing facilities (NFs) participating in the Medicaid program. This notice was originally posted on October 24, 2018. That posting inadvertently omitted the annual aggregate expenditure associated with ventilator only services for NFs participating in the NF ventilator program. It did include the annual aggregate expenditure associated with ventilator weaning services and the daily rate for both ventilator only and ventilator weaning services. This amended notice includes the annual aggregate expenditures associated with both ventilator only and ventilator weaning services. The remaining provisions contained in the October 24, 2018 notice remain the same.

**Ventilator Program Modifications:**

The department is expanding the NF ventilator program (program) to add coverage and an enhanced payment rate for ventilator weaning services. Currently, the program only includes coverage and an enhanced payment rate for ventilator services. The department is also increasing the enhanced payment rate to NFs who participate in the program and provide ventilator services. These changes are anticipated to increase access to care for individuals requiring these services by reimbursing NF providers for the higher costs associated with these services, thereby encouraging more NFs to participate in the program.

Previously, the enhanced rate for ventilator only services was \$645.00, which was sixty percent of the statewide average of the total per Medicaid day payment rate for long-term acute care hospitals (LTACHs) for the previous calendar year. Beginning January 3, 2019, the enhanced rates will be approximately \$754.22 per Medicaid day for ventilator only services and \$905.06 for ventilator weaning services. The department determined this rate by analyzing Ohio Medicaid payments made to LTACHs for individuals receiving ventilator services for calendar year 2017. The proposed payment rates are determined as follows:

- For ventilator weaning services, sixty per cent of the statewide average of the total per Medicaid day payment rate for those individuals receiving ventilator services in an LTACH for the prior calendar year. Payment at the enhanced ventilator weaning rate is limited to ninety days per calendar year per individual and includes a post ventilator weaning evaluation period of up to fourteen days.
- For ventilator only services, fifty per cent of the statewide average of the total per Medicaid day payment rate for those individuals receiving ventilator services in a LTACH for the prior calendar year.

Implementation of this change in the methods and standards for setting payment rates is expected to increase annual aggregate expenditures for NF services by approximately \$2,730,345 for state fiscal year 2019 which is for a six-month period beginning January 3, 2019. Annual aggregate expenditures for subsequent state fiscal years is anticipated to be increased by approximately \$5,521,029.

**Public Input Process:**

Any person may examine and obtain a copy of the changes, without charge, at the following locations:

- Ohio Department of Medicaid, 50 West Town Street, Suite 400, Columbus, Ohio 43215;
- Any county department of job and family services; or
- On the internet by searching Ohio Administrative Code rule 5160-3-18 on Lawriter.

Written comments regarding these changes may be submitted by mail to the Ohio Department of Medicaid, attn.: Administrative Professional, Bureau of Long-Term Services and Supports, 50 West Town Street, Suite 400, Columbus, Ohio 43215-3414 and may be reviewed at the same location. Comments may also be provided by e-mail to the following address: [bhcp@medicaid.ohio.gov](mailto:bhcp@medicaid.ohio.gov). Comments must be submitted no later than March 21, 2019.