

Rule Summary and Fiscal Analysis (Part A)**Department of Aging**

Agency Name

Division

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Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

**Enrollment process for the choices home and
community-based services medicaid waiver program.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **173.02, 173.40**

5. Statute(s) the rule, as filed, amplifies or implements: **173.40**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule is being proposed in order to establish standards and procedures for enrollment in the Choices home and community-based services Medicaid waiver program.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; if the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

This rule includes definitions of terms used throughout the rule; repeats certain criteria for enrollment in the program that are provided for in rules to be adopted by the Department of Job and Family Services (proposed rule 5101:3-32-03 of the Administrative Code); provides that any applicant for enrollment in the program is entitled to notice and hearing rights, briefly describes what those rights are and identifies the parties responsible for providing the necessary notice; provides for the use of a waiting list when more individuals are determined eligible to participate in the program than the State can serve given the number of slots available; and describes the order in which individuals will be placed on, and removed from the waiting list in question.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

This rule filing is being revised, not to amend the rule, but to change the date of the Department's public hearing from Friday, June 2, 2006 to Friday, June 9, 2006.

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0.00

The proposed rule is not expected to have any impact upon the Department of Agi's budget in the current biennium.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

GRF 490-403 PASSPORT

3C4 490-607 PASSPORT (Federal Special Revenue)

4J4 490-610 PASSPORT/Residential State Supplement (State Special Revenue - Franchise Fee)

4U9 490-602 PASSPORT Fund (State Special Revenue - Offtrack Wagering)

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Individuals involved in applying for enrollment in the Choices Medicaid Waiver program will incur costs in the form of time that could be spent doing other things. In addition, they may incur costs to appeal the decisions of the County Departments of Job and Family Services, or the Department of Aging. In either case, any costs incurred by applicants will be voluntary on the part of the applicants. The costs cannot be estimated with any degree of accuracy given that they will necessarily

differ from one person to the next depending upon any number of unknown factors.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**