

Rule Summary and Fiscal Analysis (Part A)**Department of Job and Family Services**

Agency Name

Division of Public Assistance

Division

Mike Lynch

Contact

30 E. Broad St., 31st Floor ODJFS, Office of Legal Services Columbus OH 43215-3414

Agency Mailing Address (Plus Zip)

614-466-4605

Phone

614-752-8298

Fax

5101:1-38-01

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Medicaid: individual and administrative agency responsibilities.**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: **111.15**

4. Statute(s) authorizing agency to adopt the rule: **5111.01, 5111.011, 5111.012**

5. Statute(s) the rule, as filed, amplifies or implements: **5111.01, 5111.011, 5111.012, 329.051**

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

This new rule has been proposed to remove redundancies, improve the clarity of Medicaid eligibility rules, and set out responsibilities of the administrative agency and the individual at all parts of the Medicaid eligibility process.

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 new rule sets out responsibilities of the administrative agency and the individual which apply at all parts of the Medicaid eligibility process: application, eligibility determination, during coverage, and at redetermination. These responsibilities are not substantively changed; they are gathered together into one rule and reorganized for clarity.

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 rule incorporates one or more references to another rule or rules of the Ohio Administrative Code. This question is not applicable to any incorporation by reference to another OAC rule because such reference is exempt from compliance with ORC 121.71 to 121.74 pursuant to ORC 121.76(A)(3).

This rule incorporates one or more references to the Ohio Revised Code. This question is not applicable to any incorporation by reference to the ORC because such reference is exempt from compliance with ORC 121.71 to 121.74 pursuant to ORC 121.76(A)(1).

This rule incorporates one or more dated references to the Code of Federal Regulations. This question is not applicable to any dated incorporation by reference to a federal act because such reference is exempt from compliance with ORC 121.71 to 121.74 in accordance with ORC 121.75(D).

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:

Not applicable.

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:

8/21/09

Paragraph (B)(2)(g) and its subparagraphs, imposing specific reporting requirements on recipients of Disability Medical Assistance, were deleted.

Added new paragraph (C)(11) requiring that counties issue an itemized receipt upon receipt of an application for medical assistance or a related verification.

7/27/09

(C)(9)(a) was revised to require that the agency provide a notice meeting the requirements of O.R.C. 3503.10, rather than requiring that a specific JFS form be provided.

In (C)(20)(a)(ii), the revision date for form JFS 06613 was updated to the current version of the form.

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.

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This new rule will have no fiscal impact as it does not change an agency's responsibilities, merely states them more clearly.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure

necessitated by the proposed rule:

600-525

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:

Ohio Health Plans does not estimate any cost of compliance as a result of this new rule, as it does not change an individual's responsibilities, merely states them more clearly.

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**