

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

Agency Name

**Division Of Medical Assistance**

Division

**Beth Vogel**

Contact

**30 East Broad St. 31st Floor Columbus OH  
43215-423**

Agency Mailing Address (Plus Zip)

**614-466-4605**

Phone

**752-8298**

Fax

**5101:3-1-60**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Medicaid reimbursement.****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: **5111.02**

5. Statute(s) the rule, as filed, amplifies or implements: **5111.02, 5111.03**

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

Appendix DD of this rule was filed to delete local level codes for durable medical equipment (DME) and supplies and replace them with HIPAA-compliant nationally-accepted codes.

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 lists all of the codes billed by non-institutional providers of Medicaid

services and their reimbursement rates. The rule body is being amended to include a reference to rule 5123:2-15-10 which contains codes and reimbursement rates for habilitation center services. Appendix DD of this rule is being amended to delete DME/supply codes which are not HIPAA compliant and replace them with HIPAA-compliant codes. The changes for DME include code changes in the supply list, prosthetics/orthotics including hearing aids and speech generating devices, wheelchairs, and all other DME codes. Also included in this filing are changes to certain ASC grouping, two laboratory codes, and changes to prices for certain injection codes (J codes) so that Medicaid's price will not exceed the price paid by Medicare for the same service.

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:

*Not Applicable.*

12. 119.032 Rule Review Date: **4/1/2009**

(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 changes to the injection codes (J codes) will reduce expenditures by approximately \$1 million in a year but when combined with the overall revisions, deletions, and additions of other procedure codes (including the increased cost to cover digital and programmable hearing aids) this filing is budget neutral.

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:

While there is no cost of compliance, providers must bill the new HIPAA-compliant codes to be reimbursed for those services that had a code change.

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**

