

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

Agency Name

Division Of Medical Assistance

Division

Beth Vogel

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5101:3-10-03

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

"Medicaid Supply List".**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

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: **5111.01, 5111.02**

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

The appendix to this rule is being proposed as new. The appendix changes are being proposed to implement necessary revisions to comply with the requirements of the Health Insurance Portability and Accountability Act (HIPAA) of 1996.

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 and its corresponding appendix contain information regarding the durable

medical equipment and supplies covered by Ohio Health Plans. All updates to this rule were made in the appendix. In order to implement necessary revisions to comply with the requirements of the Health Insurance Portability and Accountability Act (HIPAA) of 1996, extensive code changes have been made. With few exceptions, all Ohio-specific durable medical equipment codes will now be updated to Medicare National Level II codes. Our goal with these changes was not to change what is covered, but rather to work toward the elimination of our local-level codes as required by HIPAA.

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:

In the appendix, restored local level codes Y2032 (p.15), Y2062 (p.15), Y9166 (p.17), and Y9172 (p.14) to replace HIPAA-compliant codes used with modifiers. Added codes S8182 and S8183 (p.15) to reflect changes in billing policy for ventilator humidifiers as described in OAC 5101:3-10-22.

A4206 (P.5) "SYRINGE WITH NEEDLE, STERILE 1CC, EACH" has been elaborated to "SYRINGE WITH NEEDLE, STERILE LESS THAN OR EQUAL

TO ICC, EACH."

The following changes all relate to wheelchairs. The following codes have been removed from page 21: E1012, E1013, E1025, E1026 and E1027. Codes K0023, K0024, K0664, K0665, K0666 and E0966 from page 21 were relocated within the document, but stayed in Part I. Codes E2366 and E2367 from page 24 were moved from Part I to Part II. Codes E0973 (p.25), E1015, E1016, E1017 and E1018 (all from p.26) were moved from Part II to Part I. The following new codes have been added to the supply list: E0955, E0956, E0957, E0960, E2311, E2323, K0065 and K0452.

Other non-substantive changes were made throughout the appendix.

12. 119.032 Rule Review Date: **7/16/2004**

(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

There is no estimated cost impact on the current biennium for this rule.

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

N/A

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:

N/A

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**