

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

Agency Name

Division Of Medical Assistance

Division

Nancy Van Kirk

Contact

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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? **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: **5111.01, 5111.02**

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

Changes have been made in the appendix to implement necessary revisions to comply with the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

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 of 1996 (HIPAA), 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 a required by HIPAA. This revision includes codes added, deleted and changed for 2005.

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:

Only two policy changes were made in this revised filing. The unit on code A6010 on page 5 was restored to "one month," and the unit on A6011 on page 5 was changed from "per gram" to "one month." Code E0481 on page 18 of the appendix was changed to a rent-to-purchase item, with maximum units changed to 1 per 8 years and the unit changed to "each."

In addition, minor corrections were made to format and spelling in the appendix, and typographical errors were fixed. The definition of A6229 on page 3 was corrected to match the federal definition. The definition of code B4150 on page 13 had changed in the original filing, but the new text had not been underlined. A note on page 30 was deleted because the modifier information was incorrect.

12. 119.032 Rule Review Date: **10/1/2009**

(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

There is no estimated cost impact 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:

There may be a small cost of compliance to providers who will need to update their billing systems to use the new codes. Because these codes are required by Medicare and other payers, this cost would be incurred regardless of changes in the Medicaid program.

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**