

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

Agency Name

Division of Medical Assistance

Division

Nancy Van Kirk

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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:

This rule is being filed to reflect changes in coding due to new and revised codes for the Healthcare common procedure coding system (HCPCS) for 2006.

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 is being amended to update local-level and miscellaneous codes. These codes are being updated to comply with the Health Insurance Portability and

Accountability Act (HIPPA). This rule is also being amended to transition a number of covered items from rent to purchase (R/P) to purchase only (PP). This transition is being done to increase system efficiency to review and process requests for these selected items. This rule also introduces new billing codes for providers to submit for reimbursement of repair services for durable medical equipment (DME).

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 OAC 121.76 (A)(3).

This rule incorporates one or more dated references to an ODJFS form or forms. Each cited ODJFS form is dated and is generally available to persons affected by this rule via the "Info Center" link on the ODJFS web site (<http://jfs.ohio.gov/>) in accordance with ORC 121.75(E).

This rule incorporates one or more references to the Code of Federal Regulations (CFR). This question is not applicable to those references in this rule because such references are exempt from compliance with ORC 121.71 to 121.74 pursuant to ORC 121.76(B)(2).

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:

This rule is being revised to reflect clarifications to HCPCS codes pertaining to maximum allowable units for wound dressings and gauze from a designation of a monthly allotment to each individual dressing. This is being done per provider request for more specific guidelines to utilize when billing the codes pertaining to the medical supplies in question. Code E1001 (Wheel, single) is being removed from the supply list since this item is no longer covered under the Medicaid program since this code is no longer a valid HCPCS code. Codes A7030 (Full face mask for CPAP) and E2371 (Power wheelchair battery, sealed, lead acid battery) are being added to the supply list per provider request. HCPCS codes pertaining to the coverage of a standing frame system (E0637) for children and adults and pediatric gait trainers (E8000, E8001 and E8002) for use by children are being added to the supply list per provider request for consumer access to this equipment in a private residence. Questions 13 and 15 of this RSFA have been modified in order to clarify the agency's projected budgetary and stakeholder impact resulting from this revised filing. Question 4 of this RSFA was changed to correct the statute (from 119.03 to 5111.02).

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

This proposed rule will not change the agency's projected budget during the current biennium.

The revised filing of this rule does not change the agency's projected budget during the current biennium. Any fiscal impact in relation to this rule filing will be accounted for in the fiscal analysis for the concurrent filing of OAC rule

5101:3-1-60.

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

Not Applicable

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:

This filing should result in little to no cost of compliance for providers. Any affected stakeholder accessing any DME equipment or supplies will be required to utilize the appropriate Healthcare Common Procedure Coding System (HCPCS) code assigned by the American Medical Association (AMA) that is relevant for the item or items in question. Any item or items not listed in the appendix of this rule are considered to be "NC" or non covered equipment or supplies by the department. Any stakeholder requesting such item or items must utilize alternative funding sources if necessary in order to acquire these materials.

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**