

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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5101:3-2-09

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

**Payment policies for disproportionate share and indigent care
adjustments for hospital services.****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, 5112.03**

5. Statute(s) the rule, as filed, amplifies or implements: **5111.01, 5111.02, 5112.01 to 5112.21**

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

Technical changes are being made to this rule in order to reconcile certain definitions to the cost report used for the HCAP 2004 program year.

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:

Technical changes are proposed to rule 09 in order to reconcile certain definitions in this rule with the cost report.

The rule sets forth the conditions, requirements, operation and distribution formula for the hospital care assurance program.

Paragraph (A)(1) the reference to line 13 was stricken and line 12 inserted.

Paragraph (A)16 the following line references were changed in order of appearance in the paragraph: line 8 was changed to line 7, line 19 was changed to line 17, line 24 was changed to line 28 and the reference to line 25 was deleted. Also in paragraph(A)(16), column 3, line 8 was changed to line 7 and line 24 to line 28. The phrase "minus the amounts on schedule H, column 1, lines 6 and 18" was entirely stricken.

Paragraph (A)(19) the reference to line 8 was stricken and line 7 was inserted.

Paragraph (A)(20) the references to lines 19 and 13 were stricken and lines 17 and 12 were inserted.

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: **7/1/2009**

(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

This rule distributes allotted federal DSH dollars, and assessment revenues generated by OAC rule 5101:3-2-08.1, to Ohio hospitals.

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

600-650 and 600-649

Expenditures include disproportionate share payments to Ohio hospitals. State share funds come from line item 600-649, federal funds come from line item 600-650.

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:

These technical changes will have no compliance cost.

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**