

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

Agency Name

Division of Medical Assistance

Division

Mike Lynch

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5101:3-30-04

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Reimbursement for community medicaid alcohol and other drug treatment 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? **Yes**

Bill Number: **HB153**General Assembly: **129**Sponsor: **Rep. Amstutz**

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**

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

This rule is being proposed for amendment to incorporate policy changes to Medicaid reimbursement for Alcohol and Drug Treatment Services administered by the Ohio Department of Alcohol and Drug Addiction Services (ODADAS) as budgeted in Am. Sub. HB 153 of the 129th General Assembly because the dollars appropriated to the ODADAS budget assumes the savings associated with these changes.

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 describes the reimbursement and payment methodology for Medicaid covered community alcohol and other drug treatment services. The rule is being amended to change the method by which case management services provided in excess of 1.5 units (ninety minutes) are delivered by the same provider to the same client within the same twenty-four hour day. Services in excess of 1.5 units (ninety minutes) per day will be reimbursed at the lower of the provider's usual and customary charge or fifty percent (50%) of the Medicaid fee schedule rate. The rule is also being amended to establish a weekly (Sunday through Saturday) cumulative maximum of 35 hours of services for the following four (4) services: case management, individual counseling, group counseling, and medical/somatic.

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 RC 121.71 to 121.74 pursuant to RC 121.76(A)(3).

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:

Not Applicable.

12. 119.032 Rule Review Date: **10/1/2015**

(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 decrease expenditures.

\$728, 614

This will decrease expenditures for the Medicaid community alcohol and drug program. The estimated decrease in expenditures for SFY 2012 is \$728,614, which is comprised of \$247,729 in state funds and approximately \$480,088 of federal financial participation. The estimated decrease in expenditures was determined by cost projections developed by Ohio Department of Alcohol and Drug Addiction Services (ODADAS). The Ohio Department of Job and Family Services will not experience a financial increase or decrease as the Medicaid services affected are administered by ODADAS.

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

ODJFS ALI 600-655 Interagency reimbursement

ODADAS ALI 038-610 Medicaid

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:

The changes in this rule will reduce Medicaid reimbursement to certified alcohol and drug addiction programs. To the extent that this reduction in reimbursement is a cost of compliance, certified alcohol and drug addiction programs will be subject to a cost of compliance when they bill for the impacted services. The reduced Medicaid reimbursement is expected to decrease, in the aggregate, by approximately \$728,614 statewide.

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**