

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

Agency Name

Division of Medical Assistance

Division

Mike Lynch

Contact

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5101:3-31-04

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Enrollment process for pre-admission screening system providing options and resources today (PASSPORT).**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: **HB66**General Assembly: **126**Sponsor: **Rep. Calvert**

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: **173.40, 5111.02**

5. Statute(s) the rule, as filed, amplifies or implements: **173.40, 5111.01, 5111.02**

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

Am. Sub. H.B. 66 of the 126th General Assembly requires prioritization of the PASSPORT Home and Community Based Services (HCBS)waiver Waiting List to put those on the waiting list residing in Nursing Facilities at the head of the waiting list for slots on the Waiver. This rule replaces the existing enrollment process rule to outline the enrollment process including the prioritized waiting list and the reference the enrollment rule that identifies the priority and process, 173-42-01.

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:

The rule outlines the enrollment process for those determined eligible for enrollment in the PASSPORT Home and Community Based Service Waiver. This rule also identifies the Ohio department of aging as now having the daily administration responsibility of the waiver. A reference to rule 173-42-01 of the Administrative Code has been added.

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:

The rule has been revised in the following areas:

(A) - Revised Code was capitalized

(B)(1) - the rule reference was changed to reflect the correct eligibility processing rule (changed to 5101:1-38-01.2 from 5101:1-39-23)

(C) - The last line was clarified by removing "of that rule" with "rule 173-42-01 of the Administrative Code"

Various references to JFS Forms were corrected by removing "OD" in front of JFS.

12. 119.032 Rule Review Date:

(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 modifies an existing process and will have no impact.

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

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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 rule modifies an existing process and will not create a cost of compliance.

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**