

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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Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Immunizations.**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, 5111.021**

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

This rule is being proposed to cover an additional vaccine to children participating in the Vaccine for Children program.

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 details the policy regarding vaccines and immunizations. It includes a

listing of all vaccines covered by the Department and denotes which are covered in the Vaccine for Children (VFC) program and which are covered for adults.

The amendment to this rule will add a new vaccine to the VFC program. The vaccine for human papiloma virus (HPV) is to prevent cervical cancer and will be available to females ages 11-18. There is also a correction to the description of code 90734 listed as covered under the VFC program.

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 ORC 121.76 (A)(3).

This rule incorporates one or more dated references to the Centers for Disease Control and Prevention, the American Academy of Pediatrics, and the Advisory Committee on Immunization Practices, which are generally accepted industry standards. Each reference is dated and is generally available to persons affected by this rule via the internet, in accordance with ORC 121.75(E).

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 refiled to change the effective date of coverage for code 90649,

the vaccine for human papilloma virus (HPV). In paragraph (A)(2)(a), "For dates of service on and after November 1, 2006" is being changed to "For dates of service on and after the effective date of this rule." In paragraph (B)(5), "For dates of service on and after November 1, 2006" is being changed to "For dates of service on and after the effective date of this rule." The change from "November 1, 2006" to "the effective date of this rule" is necessary because the HPV vaccine will be available free via the Department of Health's Vaccine for Children (VFC) program beginning January 1, 2007.

12. 119.032 Rule Review Date: 7/1/2011

(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 increase revenues.

\$40,000

The addition of this vaccine to the VFC program will increase expenditures approximately \$40,000 over the current biennium.

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

600-525

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 should not be a cost of compliance. The addition of this vaccine to the

Medicaid fee schedule should not have a cost to providers.

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**