

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

Agency Name

Division of Medical Assistance

Division

Nancy Van Kirk

Contact

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5101:3-5-01

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Dental program: general provisions..**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB66**General Assembly: **126**Sponsor: **Representative 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: **5111.02, 5111.0112, Section 206.66.44 of Am. Sub. H.B. 66, 126th GA**

5. Statute(s) the rule, as filed, amplifies or implements: **5111.01, 5111.02, 5111.0112, Section 206.66.44 of Am. Sub. H.B. 66, 126th GA**

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

This rule is being proposed as part of the five-year rule review and to add terminology regarding the adoption of a modified dental benefit for consumers twenty-one and older that includes a co-payment (Section 206.66.44 of Am. Sub.

HB 66 and 5111.0112 of the RC).

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 sets forth general and co-payment provisions for the medicaid dental program. Changes include adding language regarding the modified dental benefit and co-payments on dental services for consumers twenty-one years of age and older. The rule title is being changed to recognize the establishment of a copayment per encounter and claim for adult dental reimbursement. Changes also include changing the title of the rule to "Dental Program: General and Co-Payment Provisions."

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 references to the Ohio Revised Code. This question is not applicable to any incorporation by reference to the ORC because such reference is exempt from compliance with ORC 121.71 to 121.74 pursuant to ORC 121.76(A)(1).

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:

N/A

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 make a change to Questions 4 and 5 on the Rule Summary and Fiscal Analysis (RSFA). The change to Question 4 is adding Section 5111.0112 of the RC and Section 206.66.44 of Am. Sub. H.B. 66, 126th GA, as part of the statutes authorizing the agency to adopt this rule. The change to Question 5 is adding Section 206.66.44 of Am. Sub. H.B. 66, 126th GA, as part of the statute this rule amplifies or implements.

12. 119.032 Rule Review Date: **8/19/2005**

(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.

\$302,610 for SFY 2006

By applying a co-payment to dental services, the department estimates savings of \$302,610 in SFY 06 and \$785,615 in SFY 07.

The estimated impact of this rule is also reflected as a portion of (not an addition to) the total estimated impact of all the co-payment policy changes reflected in companion OAC rule 5101:3-1-09.

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

appropriation line item 600-625

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 department estimates that providers may experience an increase in administrative costs related to collecting and reporting the co-payment for services as defined in the rule and will receive \$3.00 less for each co-payment. The department is unable to estimate the additional costs as they will likely vary among providers. The department estimates that consumers will experience a cost of \$3.00 per co-payment for each visit to the dentist (that is not on the same date of service) unless they declare they are unable to pay the co-payment.

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**