

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5160-1-60
Rule Type: Amendment
Rule Title/Tagline: Medicaid payment.
Agency Name: Ohio Department of Medicaid
Division:
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I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 10/1/2021
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 5164.02
5. **What statute(s) does the rule implement or amplify?** 5164.02
6. **What are the reasons for proposing the rule?**

This rule is being proposed for amendment to update policy related to the administration of the Medicaid program.

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule sets forth payment policies for services furnished by professional, non-institutional providers. The appendix to this rule is amended to incorporate changes in Medicaid payment amounts for certain existing pregnancy-related services EEG monitoring procedures, and medication-assisted treatment. This appendix to this rule

is also being amended to establish new payment amounts for lactation consulting services, diabetes self-management training, diabetes prevention education and transcranial magnetic stimulation.

- 8. Does the rule incorporate material by reference? No**
- 9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

Not Applicable

- 10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

A correction was made to the statute that grants rule writing authority.

11/05/2021 The TH modifier was added to procedure code H1005 in the appendix.

II. Fiscal Analysis

- 11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will increase expenditures.

\$37,755.38

Changes in payment amounts are implemented in the appendix to rule 5160-1-60. However, the changes associated with diabetes self-management training and diabetes prevention education are being accounted for rule 5160-8-53. Pregnancy-related services and lactation consulting services are being accounted for in the fiscal analyses for rule 5160-21-04 and 5160-8-42. This approach is intended to promote clarity and to prevent inadvertent duplication.

- 12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

There is no cost of compliance.

- 13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No
15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable.

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? No
17. Does this rule have an adverse impact on business? No
 - A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
 - B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? No
 - D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No
 - A. How many new regulatory restrictions do you propose adding?
Not Applicable
 - B. How many existing regulatory restrictions do you propose removing?
Not Applicable

