

## TO BE RESCINDED

5160-2-01 **Eligible providers.**

(A) .

All hospitals, except those excluded in paragraphs (A)(1) and (A)(2) of this rule, that meet medicare (Title XVIII) conditions of participation as described in 42 C.F.R 482 effective as of October 1, 2013, are eligible to participate in the Ohio medicaid (Title XIX) program upon execution of a provider agreement. Also considered to be eligible is a hospital that is currently determined to meet the requirements for Title XVIII participation and has in effect a hospital utilization review plan applicable to all patients who receive medical assistance under Title XIX. The following hospitals are excluded from participation:

(1) Tuberculosis facilities, and

(2) Facilities that have fifty per cent or more of their beds registered pursuant to Chapter 3701-59 of the Administrative Code as alcohol and/or drug abuse rehabilitation beds, and have no beds licensed as psychiatric beds pursuant to Chapter 5122-14 of the Administrative Code.

(B) The following facilities with more than sixteen beds shall be eligible to participate in Title XIX only for the provision of inpatient psychiatric services to recipients age sixty-five or older in accordance with paragraph (C) of this rule and to recipients under age twenty-one in accordance with paragraph (D) of this rule:

(1) A hospital with fifty per cent or more of its beds registered as alcohol and/or drug abuse rehabilitation beds that also has beds licensed as psychiatric beds pursuant to Chapter 5122-14 of the Administrative Code;

(2) Hospitals that have at least half of their beds licensed as psychiatric beds pursuant to Chapter 5122-14 of the Administrative Code or operated under the authority of the state mental health authority in accordance with section 5119.01 of the Revised Code; and

(3) Hospitals that have half or more of their discharges in any six-month time period reviewed by the the department and determined to be for psychiatric and/or substance abuse treatment.

(C) Hospitals that are eligible to participate only for the provision of inpatient psychiatric services in accordance with paragraph (B) of this rule and are rendering inpatient psychiatric services to recipients age sixty-five or older must be licensed by the Ohio department of mental health and addiction services in accordance with

Chapter 5122-14 of the Administrative Code or operated under the authority of the state mental health authority in accordance with section 5119.01 of the Revised Code, and must provide services in accordance with Chapter 5122-14 of the Administrative Code. Hospitals shall operate pursuant to the provisions of 42 C.F.R. 441 subpart C effective as of October 1, 2013.

- (D) Hospitals that are eligible to participate only for the provision of inpatient psychiatric services in accordance with paragraph (B) of this rule and are rendering inpatient psychiatric services for recipients under age twenty-one must:
- (1) Provide services under the direction of a physician;
  - (2) Operate pursuant to the provisions of 42 C.F.R. 441 subpart D effective as of October 1, 2013;
  - (3) Be a psychiatric hospital or an inpatient program in a psychiatric hospital, either of which is accredited by the "Joint Commission on Accreditation of Hospitals," and must be licensed by the Ohio department of mental health and addiction services in accordance with Chapter 5122-14 of the Administrative Code or operated under the authority of the state mental health authority in accordance with section 5119.01 of the Revised Code, and must provide services in accordance with Chapter 5122-14 of the Administrative Code; and
  - (4) Provide services before the recipient reaches age twenty-one or, if the recipient was receiving services immediately before he or she reached age twenty-one, before the earlier of the following:
    - (a) The date he or she no longer requires the services; or
    - (b) The date he or she reaches age twenty-two.
- (E) The following facilities with sixteen or fewer beds shall be eligible to participate in Title XIX only for the provision of inpatient psychiatric services to recipients in accordance with paragraph (F) of this rule:
- (1) A hospital with fifty per cent or more of its beds registered as alcohol and/or drug abuse rehabilitation beds that also has beds licensed as psychiatric beds pursuant to Chapter 5122-14 of the Administrative Code;
  - (2) Hospitals that have at least half of their beds licensed as psychiatric beds pursuant to Chapter 5122-14 of the Administrative Code or operated under the authority of the state mental health authority in accordance with section

5119.01 of the Revised Code; and

- (3) Hospitals that have half or more of their discharges in any six-month time period reviewed by the the department and determined to be for psychiatric and/or substance abuse treatment.
  
- (F) Hospitals that are eligible to participate only for the provision of inpatient psychiatric services in accordance with paragraph (E) of this rule and are rendering inpatient psychiatric services to recipients must be licensed by the Ohio department of mental health and addiction services in accordance with Chapter 5122-14 of the Administrative Code or operated under the authority of the state mental health authority in accordance with section 5119.01 of the Revised Code, and must provide services in accordance with Chapter 5122-14 of the Administrative Code. Hospitals shall operate pursuant to the provisions of 42 C.F.R. 482 subpart E effective as of October 1, 2013.

Effective: 07/01/2017

Five Year Review (FYR) Dates: 04/14/2017

CERTIFIED ELECTRONICALLY

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Certification

06/19/2017

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Date

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