

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5160-20-01

Rule Type: Amendment

Rule Title/Tagline: Coordinated services program.

Agency Name: Ohio Department of Medicaid

Division:

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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 1/1/2024
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, 5164.758
5. **What statute(s) does the rule implement or amplify?** 5164.02, 5164.758
6. **What are the reasons for proposing the rule?**

The rule is being amended to update policy relating to the administration of the Ohio Medicaid Coordinated Services Program (CSP).

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

Ohio Administrative Code (OAC) rule 5160-20-01 sets forth the definitions, enrollment and exclusion criteria, enrollment and disenrollment processes, provider assignment, and individual hearing rights for the Coordinated Services Program (CSP). Changes to this rule include: In paragraph (A)(8), updated Ohio Administrative Code (OAC)

citations to include Ohio resilience through integrated systems and excellence (OhioRise); In paragraphs (D)(4) (D)(5) (D)(6), added additional enrollment criteria; In paragraph (D)(7), added additional exclusions for enrollment in the CSP; In paragraphs (F)(2) (c) and (d) added additional provisions for to include that ODM or its designee could make immediate changes to an individual's assigned pharmacy; ODM form references have been updated to reflect a 10/2022 effective date; In the appendix, clarified that if an individual has a history of addiction or drug dependence with abuse potential drugs that the individual was diagnosed or treated for addiction and the individual received any combination of any OARRS reportable drugs or any muscle relaxants and in the appendix, amended language to include if an individual utilizes three or more pharmacies to fill abuse potential drugs (previously it was four or more pharmacies).

- 8. Does the rule incorporate material by reference? Yes**
- 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.**

This rule incorporates one or more references to another rule or rules of the Administrative Code. This question is not applicable to any incorporation by reference to another Administrative Code rule because such reference is exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.75 (A)(1). OAC Medicaid rules may be found online at: <http://codes.ohio.gov/oac/5160>.

This rule incorporates one or more dated references to the U.S Code. This question is not applicable to any dated incorporation by reference to the U.S Code because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(A)(2).

This rule incorporates one or more dated references to an ODM form. Each cited ODM form is dated and is generally available to persons affected by this rule via the "Resources" and "Publications" links on the ODM web site (<http://medicaid.ohio.gov/>) in accordance with RC 121.75(B)(4).

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

A revise file is needed for ERF 193023: CSP, to correct the document used for the rule in the filing in ERF. The rule used was a PDF, but we are required to use an RAS file for the rule itself.

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 have no impact on revenues or expenditures.

0.0

Not applicable.

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

Not applicable.

- 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? Yes

- A. How many new regulatory restrictions do you propose adding to this rule? 0

- B. How many existing regulatory restrictions do you propose removing from this rule? 9

5160-20-01 (A)(3) [deleted] -- requires

5160-20-01 (C) --must

5160-20-01 (D)(1) --shall

5160-20-01 (D)(2) --shall

5160-20-01 (D)(2) --shall

5160-20-01 (F)(1)(a) --must

5160-20-01 (F)(2)(A) --require

5160-20-01 (F)(2)(A)(ii) --require

5160-20-01 (F)(2)(B) --shall

- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.