

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 5160-27-02  
**Rule Type:** Amendment  
**Rule Title/Tagline:** Coverage and limitations of behavioral health services.  
**Agency Name:** Ohio Department of Medicaid  
**Division:**  
**Address:** 50 Town St 4th floor Columbus OH 43218-2709  
**Contact:** Tommi Potter  
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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?** 4/30/2023
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, 5162.05, 5162.02
5. **What statute(s) does the rule implement or amplify?** 5164.02, 5164.88, 5164.76, 5164.15, 5164.03
6. **What are the reasons for proposing the rule?**

This rule is being proposed for amendment to update policy relating to the administration of Ohio Medicaid's behavioral health program.

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

This rule states, as applicable, any service provision limits and Ohio Medicaid coverage requirements, for those mental health and substance use disorder treatment services addressed in Chapter 5160-27 of the Administrative Code. Options to exceed service

provision limits through an approved prior authorization process are also stated.

A)(1) replace "diagnosis" with "diagnoses"

(B)(5) new language added to state the benefit limit of a service

(C)(4) replace "reserves the right to" with "may."

(J) change a rule reference from 5122-24-01 to 5122-29-31

(L) change the termination date for the health home service from December 31, 2017 to June 30, 2018

Add an appendix to the rule which states the eligibility criteria for receiving the health home service

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. 121.71 to 121.76, 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 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 RC 121.71 to 121.74 pursuant to RC 121.76(A)(3).
- This rule incorporates one or more dated references to the Code of Federal Regulations (CFR). This question is not applicable to any dated incorporation by reference to the CFR because such reference is exempt from compliance with RC121.71 to 121.74 in accordance with RC 121.75(D).
10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

*Not Applicable*

## **II. Fiscal Analysis**

11. **As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

0.00

The specific rule revisions requiring this rule amendment have no impact on ODM revenues or expenditures.

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

The specific rule revisions requiring this rule amendment will not create an additional cost of compliance on directly affected persons.

- 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**

### **III. Common Sense Initiative (CSI) Questions**

- 15. Was this rule filed with the Common Sense Initiative Office? Yes**

- 16. 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**