

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5160-27-04

Rule Type: Amendment

Rule Title/Tagline: Mental health assertive community treatment service.

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?** 1/1/2023
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?** 5162.02, 5164.02
5. **What statute(s) does the rule implement or amplify?** 5164.02, 5164.03
6. **What are the reasons for proposing the rule?**

This rule is being proposed for amendment to update ODM policy.

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

Rule 5160-27-04 entitled "Mental health assertive community treatment service" states activities that constitute the service as well as eligibility requirements to receive the service. Provider requirements are stated as well as provider billing policy and prior authorization requirements. New language refines the face-to-face requirement for provider and Medicaid recipient interactions and additional new language clarifies

who may serve on a treatment team for the service as well as who is eligible to receive the 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 121.75.

The rule references the adult needs and strengths assessment (ANSA) which is a clinical scoring tool. The tool will be made available to interested parties on the Ohio Medicaid website, which is stated in the rule. Stakeholder availability via the Ohio Medicaid website was considered preferable to filing it with the rule.

This rule includes one or more references to a website maintained by ODM. This website is generally available to persons (generally behavioral health providers) affected by this rule and they have been informed of this website. The website is <https://bh.medicaid.ohio.gov/manuals> with the page title of "2019 ICD-10 DX Code Groups BH Redesign."

- 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

Not Applicable

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

There are no costs of compliance for persons or organizations directly affected by the rule.

This rule does not apply a regulation fee.

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**