

5160-4-07**Fee-for-time compensation arrangements (substitute physicians).****(A) Definitions.**

- (1) "Physician," for purposes of this rule, is a collective term for the following professionals:**
 - (a) Doctor of medicine;**
 - (b) Doctor of osteopathy;**
 - (c) Doctor of podiatric medicine; or**
 - (d) Optometrist.**
- (2) "Regular physician" is a physician enrolled in the Ohio medicaid program who regularly takes care of an individual's health care needs.**
- (3) "Substitute physician" is a physician who generally does not maintain an individual practice and who works in place of a regular physician when the regular physician is absent.**

(B) Coverage and limitations.

- (1) Payment may be made for services rendered by a substitute physician only when the following conditions are met:**
 - (a) The regular physician is expected to be absent for a period of not longer than sixty days unless there are extenuating circumstances (e.g., active duty in the armed forces);**
 - (b) The substitute physician has the status of an independent contractor rather than of an employee; and**
 - (c) The substitute physician receives payment from the regular physician as a fixed amount per diem or on a similar fee-for-time basis.**
- (2) Payment will not be made under a fee-for-time compensation arrangement for services rendered by practitioners other than physicians.**

Effective:

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	5164.02
Rule Amplifies:	5164.02