

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5160-46-06

Rule Type: Amendment

Rule Title/Tagline: Ohio home care waiver program: reimbursement rates and billing procedures.

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?** 1/1/2022
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?** 5162.03, 5166.02
5. **What statute(s) does the rule implement or amplify?** 5162.03, 5164.70, 5164.77, 5166.01, 5166.02, 5166.041
6. **What are the reasons for proposing the rule?**

This rule is being proposed for amendment to update the policy related to the administration of the Ohio Home Care Waiver and to align policy and service rates in the PASSPORT and Ohio Home Care Waiver programs.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

Rule 5160-46-06 sets forth the reimbursement rates and billing procedures for Ohio Home Care Waiver services. This rule is being proposed for amendment to add waiver service rates for services that are being added to the Ohio Home Care Waiver and that are in alignment with the PASSPORT waiver. Changes include addition of the definition of "bid rate" to paragraph (A); and addition of billing codes, services, billing units and Medicaid maximum rates for Community Integration, Community Transition, and Home Maintenance and Chore services to Table (B).

- 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 (OAC). 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). OAC Medicaid rules may be found online at: <http://codes.ohio.gov/oac/5160>.

This rule incorporates one or more dated references to the United States Code. This question is not applicable to those references in this rule because such dated references are exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.75(A). The USC can be found online at: <https://www.gpo.gov/fdsys/browse/collectionUSCode.action?collectionCode=USCODE>.

This rule incorporates one or more dated references to the Social Security Act. This question is not applicable to those references in this rule because such dated references are exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.75(A). The Social Security Act is available online at: https://www.ssa.gov/OP_Home/ssact/ssact-toc.htm.

- 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

This proposed rule operationalizes proposed OAC rules 5160-44-12, 5160-44-14 and 5160-44-26. The fiscal effects of these proposed rule changes are reflected in their respective RSFAs.

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 associated with this rule.

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? No

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