

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: May 17, 2005
TIME: 10:00 A.M.
LOCATION: Room 1823, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215-3414

Pursuant to sections 173.4, 5111.01, 5111.113 and 5111.871 and Chapter 119. of the Revised Code, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the adoption of the rules as identified below and of a public hearing thereon.

Rule 5101:1-39-23. entitled Medicaid: income computations for determining eligibility using the special income level, is being proposed for adoption because it replaces and combines sections of rescinded rules (under section 111.15) 5101:1-39-95 and 5101:1-39-22.2 that define how the administrative agency shall compute income for purposes of determining medicaid eligibility for individuals receiving either 1) long term care services in a long term care facility; 2) services under a home and community-based services (HCBS) waiver program; or 3) services under the program of all-inclusive care for the elderly (PACE). The rule has been reorganized and clarified, but all essential elements remain the same.

Rule 5101:1-39-24, entitled Medicaid: determining patient liability, is being proposed for adoption. It replaces sections of rescinded rules (under section 111.15) 5101:1-39-22.2, 5101:1-39-95, 5101:1-39-22.1, 5101:1-39-22.3, 5101:1-39-22.4, 5101:1-39-22.6, 5101:1-39-12, and 5101:1-39-85 that define how income is treated for purposes of determining patient liability for individuals receiving long term care services in either a long term care facility, under the HCBS waiver program, or under PACE. The new rule reorganizes and clarifies the financial obligation individuals must meet toward the medicaid cost of care. The rule also introduces a methodology for pro-rating partial months of patient liability when the individual is institutionalized for less than a full month.

A copy of the proposed rules is available, without charge, to any person affected by the rules at the address listed below. The rules are also available on the internet at <http://registerofohio.state.oh.us/>. A public hearing on the proposed rules will be held at the date, time, and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rules or comments on the rules should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414; or by fax to (614) 752-8298, or by e-mail at legal@odjfs.state.oh.us.