

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: June 22, 2010

TIME: 10:00 a.m.

LOCATION: Hearing Room, Office of Legal and Acquisition Services,
31st Floor, Rhodes State Office Tower,
30 East Broad St., Columbus, Ohio 43215

Pursuant to Sections 5111.02, 5111.16, 5111.162, 5111.17, and 5111.176, and Chapter 119. of the Ohio Revised Code (ORC), the director of the Ohio Department of Job and Family Services (ODJFS) gives notice of the department's intent to consider the amendment of the rules identified below and of a public hearing thereon.

The effective date for the proposed rule changes is August 1, 2010.

The rules identified below are being proposed for amendment in order to update and clarify provisions for managed care plan (MCP) state hearings, utilization management and just cause requests.

Rule 5101:3-26-02.1, entitled Managed health care programs: termination of membership, is being amended. This rule sets forth the provisions for termination of membership in managed health care programs. The changes to the rule add language regarding the timeframe for the processing of just cause requests. Ohio Administrative Code (OAC) rule 5101:3-26-02.1(D)(9) has been amended to state that ODJFS will make a decision within 45 days from the date ODJFS receives the just cause request.

Rule 5101:3-26-03.1, entitled Managed health care programs: care coordination, is being amended. This rule sets forth provisions for MCP care coordination responsibilities. The changes to the rule add clarification that in addition to maintaining prior authorization data, MCPs will submit the data as directed by ODJFS.

Rule 5101:3-26-08.2, entitled Managed health care programs: member services, is being amended. This rule sets forth the member services requirements for MCPs. The changes to the rule add federally-required language regarding MCP member notification for standard and expedited state hearing resolution timeframes.

Rule 5101:3-26-08.4, entitled Managed health care programs: MCP grievance system, is being amended. This rule sets forth MCP grievance system requirements. The changes to the rule add federally-required language regarding information that must be contained on managed care plan (MCP) member appeal notifications. The changes to the rule also

include clarification that the ninety day period for member appeals begins the day after the mailing date of the notice of action and that MCPs are to submit information regarding grievance and appeal activity as directed by ODJFS.

Rule 5101:3-26-08.5, entitled Managed health care programs: responsibilities for state hearings, is being amended. This rule sets forth MCP responsibilities for state hearings. The changes to the rule add language clarifying that the ninety-day notification period for a member's right to a state hearing begins on the day after the mailing date on the state hearing form consistent with Ohio Administrative Code (OAC) rule 5101:6-3-02(B)(2).

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://www.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, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov.