

**FEDERAL MEDICAID NOTICE AND
PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES**

DATE: June 21, 2011
TIME: 1:30 P.M.
LOCATION: Vern Riffe, Room 1932, 77 S. High Street
Columbus, Ohio 43215

Pursuant to sections 5111.02, and 5111.85 Chapter 119. of the Ohio Revised Code, and 42 C.F.R. 447.205, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the amendment of the rules as identified below and of a public hearing thereon.

Rule 5101:3-51-02, entitled HOME choice ("Helping Ohioans Move, Expanding Choice") demonstration program: individual eligibility for services and participant hearing rights, is being amended to change policy related to the eligibility requirements for the HOME Choice Demonstration Program. This rule sets forth the requirements associated with consumer eligibility for services and consumer hearing rights in the HOME Choice Demonstration Program. Paragraph (A)(8) is being changed to specify that to be eligible for the HOME Choice Demonstration Program, an individual must, in addition to participating in the development of his or her service plan, also participate in the implementation of that service plan.

Rule 5101:3-51-04, entitled HOME choice ("Helping Ohioans Move, Expanding Choice") demonstration program: definitions of the covered services and program service limitations, provider qualifications and specifications, is being amended to change the definitions of the covered services and program service limitations, and provider requirements and specifications governing the HOME Choice Demonstration Program. This rule sets forth the definitions of the services covered by the HOME Choice Demonstration Program. This rule also sets forth the program service limitations, provider qualifications and specifications for the delivery of HOME Choice Demonstration Program services. Paragraph (B) is being changed to specify that community support coaching is provided to the HOME Choice participant, authorized representative and family members prior to, during and after the participant's transition from an institution into the community. Paragraph (B)(1)(g) is being added to specify that the community support coach shall assist the HOME Choice Demonstration Program participant in connecting to potential employment opportunities prior to, during and after transition. Additionally, paragraph (B)(4)(b) is being added to stipulate that the community support coach provider must not also be the transition coordination agency providing transition coordination services to the same participant during the pre-transition phase. Paragraph (H)(1)(d) is being changed to clarify that goods and services available through the community transition services must be necessary to improve the HOME Choice participant's health and welfare in the home and/or community. Paragraph (H)(2) is being changed to set forth the allowable community transition expenses and service limitations. Paragraph (H)(2)(a) is being added to establish that allowable community

transition services include a maximum of \$500 for pre-transition (i.e., up to, but not including, the actual date of transition) transportation expenses which may include, but are not limited to, visits to potential housing, and to local agencies for the purpose of establishing benefits. Paragraph (H)(2)(b) is being added to establish that a maximum of \$2,000 is available for pre- and post-transition expenses, except as limited by paragraph (H)(3) of the rule. Further, paragraph (H)(2)(b)(i) is being added to specify that the \$2,000 includes post-transition (i.e., on or after the actual date of transition) transportation services. Paragraph (H)(4) is being amended to specify that reimbursement for community transition services shall not exceed a cumulative maximum of \$2,500 for pre- and post-transition services set forth in paragraph (H)(2). "Home and community-based services" is being spelled out in paragraph (A)(2); Administrative Code cites for the clinical record requirements for nutritional consultation services are being enumerated in paragraph (E)(4); the notation of an example is being corrected in paragraph (I)(4)(a)(iii); and Administrative Code cites are being corrected in (I)(5). The department estimates these changes will increase its annual aggregate expenditures by approximately \$105,000.00. The "all funds" claim amount of \$105,000.00 is eligible for enhanced federal financial participation (FFP) from the MFP Demonstration Grant, thus reducing the state's non-federal share of the additional expenditures to approximately \$1,865.00 for the first year of the 2012-2013 biennium.

Rule 5101:3-51-06, entitled HOME choice ("Helping Ohioans Move, Expanding Choice") demonstration program: reimbursement rates and billing procedures, is being amended to increase the maximum rate and maximum usage amounts for community transition services available through the HOME Choice Demonstration Program by adding \$500 per participant for pre-transition transportation expenses to that service. It is also being amended to specify the unit of service measurements associated with the maximum rate for each HOME Choice service. This rule sets forth the codes and reimbursement rates for HOME Choice Demonstration Program services. The maximum rate for community transition services found in Table B, Column 4 is being changed to state that a maximum of \$2,500 is allowed for all items, and that included in this maximum is \$500 for pre-transition transportation expenses. The maximum usage amount for community transition services found in Column 6 is being amended to state that the maximum usage amount is \$2,500 for all items (including a maximum of \$500 for pre-transition transportation expenses, and for all other approved community transition services, a maximum of \$2,000 during the pre-transition and 365-day demonstration periods, combined). The maximum rates for independent living skills training, community support coaching, social work/counseling services, nutritional consultation services, and in-home respite services found in Table B, Column 4 are being changed to stipulate that the maximum rate is "per hour." The maximum rate for out-of-home respite services also found in Table B, Column 4 is being changed to stipulate that the maximum rate is "per day." The department estimates these changes will increase its annual aggregate expenditures by approximately \$105,000.00. The "all funds" claim amount of \$105,000.00 is eligible for enhanced federal financial participation (FFP) from the MFP Demonstration Grant, thus reducing the state's non-federal share of the additional expenditures to approximately \$1,865.00 for the first year of the 2012-2013 biennium.

A copy of the proposed rules is available, without charge, to any person affected by the rules at the address listed below and at the county departments of job and family services. The rules are also available on the internet at <http://www.registerofohio.state.oh.us/>.

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 and Acquisition Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at rules@jfs.state.oh.us. Comments received may be reviewed at this address.