

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

DATE: February 16, 2012
TIME: 10:00 a.m.
LOCATION: Room 3110B, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215-3414

Pursuant to section 5111.02 and Chapter 119. of the Ohio Revised Code, and 42 CFR 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 5101:3-10-20, "Covered orthotic and prosthetic services and associated limitations," describes and defines general provisions for DME providers who dispense orthotic and prosthetic equipment to Ohio Medicaid consumers and provides a comprehensive listing of items currently reimbursed by Ohio Medicaid.

Changes: Updated the appendix to remove deleted HCPCS codes.

The Department estimates that there is no fiscal impact resulting from these changes.

This rule is being proposed for amendment to implement the new Healthcare Common Procedure Coding System (HCPCS) codes effective for dates of service on and after January 1, 2012. This rule is effective March 29, 2012 and replaces the emergency version of this rule which was effective on December 30, 2011.

HCPCS, which includes Current Procedural Technology (CPT) codes, is a medical procedure coding system that is the national standard for reporting medical services for billing and claims payment purposes. This coding system is used by Medicare, state Medicaid programs, private health insurance plans, and managed care plans. The Centers for Medicare and Medicaid Services (CMS), in conjunction with the American Medical Association and other professional groups, updates the HCPCS on an annual basis. The Department must implement the HCPCS updates for the Medicaid program to comply with the federal Health Insurance Portability and Accountability Act (HIPAA), which requires the use of a nationally standardized coding system (45 CFR 162.1000 and 45 CFR 162.1002).

Implementation of the annual HCPCS coding update by the Department requires Ohio Administrative Code (OAC) rule changes because HCPCS codes are included in OAC rules and/or their appendices that guide the Medicaid program.

Rules 5101:3-10-03, "Medicaid Supply List," and 5101:3-10-06, "Prior Authorization," are being proposed for amendment in order to provide additional information for the benefit of the providers of Durable Medical Equipment (DME) services.

Rule 5101:3-10-03, "Medicaid Supply List," describes and defines general provisions for DME providers who dispense medical equipment to Ohio Medicaid consumers and provides a comprehensive listing of items currently reimbursed by Ohio Medicaid.

Changes: Updated the rule body and appendix of this rule to provide additional information regarding coverage indicators in the appendix to this rule, including removal of the "Medicare" indicator. Added to this rule is a new Certificate of Medical Necessity (CMN) form for providers to utilize to request prior authorization of medical supplies to be dispensed at quantities which exceed the maximum allowable, and a requirement for a written prescription for medical supplier services.

The Department estimates that there is no fiscal impact resulting from these changes.

Rule 5101:3-10-06, "Prior Authorization," describes and defines general provisions pertaining to prior authorization for DME providers who dispense medical equipment to Ohio Medicaid consumers. It is being proposed for five year rule review.

Changes: Updated the rule body of this rule to remove references to an obsolete form in paragraph (A)(1). Added to this rule is a reference to a new Certificate of Medical Necessity (CMN) form for providers to utilize to request prior authorization of medical supplies to be dispensed at quantities which exceed the maximum allowable, and a requirement for a written prescription for medical supplier services.

The Department estimates that there is no fiscal impact resulting from these changes.

Copies of the proposed rules are available without charge to any person affected by them at the address listed below. The proposed 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 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 and

Acquisition Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-0414, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov.