

**LEGAL NOTICE****STATE OF OHIO  
DEPARTMENT OF JOB AND FAMILY SERVICES  
COLUMBUS, OHIO**

Pursuant to 42 CFR 447.205, Section 5111.02, and Chapter 119 of the Ohio Revised Code, the Director of the Department of Job and Family Services gives notice of the Department's intent to propose for amendment, rule 5101:3-10-05, as identified below, and of a public hearing on the proposed amendment.

Rule 5101:3-10-05 entitled Reimbursement for Covered Services sets forth general criteria for reimbursement of medical supplier services by the Ohio Medicaid program. It is being proposed for amendment to clarify the reimbursement of enteral nutrition products. The department is clarifying the reimbursement policy of enterals to be the lower of the usual and customary charge of the supplier, the maximum as set forth in appendix DD of OAC 5101:3-1-60, or where no maximum is set forth in appendix DD, seventy-five per cent of the average of the recommended list price.

The Department estimates that its annual expenditures will not be impacted as a result of the implementation of this amendment.

A copy of the proposed permanent rule is available without charge to any person at the address listed below, and is available as well at each county department of job and family services. A public hearing on these proposed permanent amendments will be held on March 30, 2004 in room 1823 at 10:00 am, 30 E. Broad Street, Columbus, Ohio. Either written or verbal testimony on the proposed amendment will be taken at the public hearing. Additionally, written comments submitted, or postmarked no later than March 30, 2004 will be treated as testimony.

Requests for a copy of the rule or comments on it should be submitted to Ohio Department of Job and Family Services, Office of Legal Services, 30 E. Broad Street, 31<sup>st</sup> Floor, Columbus, Ohio 43215-3414, by FAX at 614-752-8298 or by e-mail at [legal@odjfs.state.oh.us](mailto:legal@odjfs.state.oh.us), or at the following internet address: <http://www.state.oh.us/odjfs/ols/pubHearings/index.stm#ohpp>. Written comments received may be reviewed at this same address.