

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

Pursuant to Section 1902(a)(13)(A) of the Social Security Act, 42CFR 447.205, and Sections 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 amend rules 5101:3-2-21 and 5101:3-2-22 on a permanent basis and of a public hearing upon the permanent amendments.

Rule 5101:3-2-21, entitled **Policies for outpatient hospital services,** describes policies for reimbursement of outpatient hospital services. The rule currently applies only to Ohio hospitals. This amendment would expand the rule to include out-of-state hospitals that are subject to the prospective payment system for inpatient services. Currently, these out-of-state hospitals are reimbursed for outpatient services through a cost-based system. The change will make reimbursement to these hospitals pursuant to the fee schedule/prospective payment system. The purpose of the change is to reimburse these out-of-state hospitals for outpatient services in a manner that is consistent with reimbursement for Ohio hospitals. Additional changes are made to refer providers to Chapter 5101:3-1 of the Administrative Code for claims submission rules and to update codes 90655, 92004 and 92014 in Appendix F.

OAC rule 5101:3-2-22, entitled, "Reasonable cost and cost-related reimbursement for hospital services," is being amended to exclude from cost-based reimbursement outpatient services provided in non-Ohio hospitals that are subject to the prospective payment system for inpatient services. Currently, these out-of-state hospitals are reimbursed for outpatient services through a cost-based system. The change will make reimbursement to these hospitals pursuant to the fee schedule/prospective payment system. The purpose of the change is to reimburse these out-of-state hospitals for outpatient services in a manner that is consistent with reimbursement for Ohio hospitals. Other changes make technical corrections to other rule references by including appropriate decimal points, update the name of the cost report form (from ODHS 2930 to JFS 02930) and add effective dates to incorporations by reference.

The Department estimates that on an annual aggregate basis expenditures will decrease by approximately \$8,000,000. Because the cost structure of each hospital is different, individual providers will experience variances in the impact of these amendments. The fee schedule for outpatient hospital services may be found in the appendices of Ohio Administrative Code 5101:3-2-21.

Copies of the proposed rules are available for review at each County Department of Job & Family Services and on the Internet in the Ohio Register at <http://www.registerofohio.state.oh.us> and are available without charge to any person at the address listed below.

A public hearing on the proposed permanent rules will be held at 10:00 a.m., November 09, 2004 in Room 1823 of the State Office Tower, 30 E. Broad St., Columbus, OH. Either written or verbal testimony on the proposed rules will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than November 09, 2004 will be treated as testimony.

Requests for copies of the proposed rules or comments on them should be submitted by mail to 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 [legal@odjfs.state.oh.us](mailto:legal@odjfs.state.oh.us). Written comments received may be reviewed at the department at the address listed above.