

**LEGAL NOTICE AND PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES**

DATE: May 16, 2005
TIME: 10:00 A.M.
LOCATION: Room 1823, Rhodes State Office Tower, 30 East Broad Street, Columbus, Ohio

PURSUANT TO SECTION 5111.02 AND CHAPTER 119. OF THE REVISED CODE, AND SECTION 1902(a)(13)(A) OF THE SOCIAL SECURITY ACT, THE DIRECTOR OF THE DEPARTMENT OF JOB AND FAMILY SERVICES GIVES NOTICE OF THE DEPARTMENT'S INTENT TO ADOPT RULE 5101:3-3-64 AND OF A PUBLIC HEARING THEREON.

Rule 5101:3-3-64 entitled Nursing facility payment for Medicare Part A cost sharing is being adopted in order to implement a new Medicaid payment policy for cost sharing for nursing facility (NF) services provided as a Medicare Part A benefit. This rule will establish that Ohio Department of Job and Family Services (ODJFS) will pay as cost sharing the lesser of the coinsurance amount or the Medicaid maximum allowable reimbursement rate for the identified services minus the Medicare Part A plan payment to the nursing facility for the same services. If the Medicare Part A plan payment is more than the Medicaid maximum, ODJFS will pay nothing for the services. ODJFS estimates that the proposed rule will decrease Medicaid expenditures by approximately \$31 million in state fiscal year 2006.

A copy of the proposed rule is available, without charge, to any person affected by the rule at the address listed below and at the county departments of job and family services. The rule is also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rule 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 rule or comments on the rule 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 legal@odjfs.state.oh.us. Comments received may be reviewed at this address.