

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: May 17, 2005
TIME: 10:00 am
LOCATION: Room 1823, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to section 5111.02 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Job and Family Services (ODJFS) gives notice of the department's intent to consider the adoption, amendment, or rescission of the rule or rules as identified below and of a public hearing thereon.

Rule 5101:3-1-11, entitled Out-of-state-coverage [except for services provided through a Medicaid contracting managed care plan (MCPs)], is being proposed to amend language to be consistent with new billing practices being proposed by ODJFS for long-term care nursing facilities and for five-year rule review. This rule outlines requirements out-of-state providers must meet to be reimbursed by the Ohio Medicaid program for services they provide to Ohio Medicaid consumers and coverage policies for services rendered to Ohio Medicaid consumers out-of-state. Changes include adding out-of-state nursing home providers to this rule for coverage of services.

Rule 5101:3-1-13.1, entitled Medicaid consumer liability [except for consumers enrolled in Medicaid contacting managed care plans (MCPs)], is being proposed to amend language to be consistent with new billing practices being proposed by ODJFS for long-term care nursing facilities and for five-year rule review. This rule describes Medicaid consumer liability and tells provider's that OODJFS' payment for services is considered payment in full and they may not charge the consumer for any additional payments. Changes include removing the exception statement from paragraph (C) of this rule that exempted long term care nursing facility consumers. Long term care nursing facilities and the Medicaid consumers of these facilities are now covered under this rule.

Rule 5101:3-1-19.1, entitled Medicaid claim formats and coding requirements for paper claim submission [except for services provided through a long-term care facility or Medicaid managed care program], is being proposed to amend language to be consistent with new billing practices being proposed by ODJFS for long-term care nursing facilities and for five-year rule review. This rule details the different paper claims formats and coding requirements provider's must use when submitting paper claims to ODJFS for reimbursement. Changes include removing the exemption of nursing homes from the rules title. Paragraph (A)(6) has been amended to explain that only nursing facility therapy services should be reported to ODJFS on paper claims. Also, the rules been updated to explain that all nursing facility room and board services must be submitted through electronic data interchange (EDI) on an 837I transaction.

Rule 5101:3-1-19.8, entitled Resolution of payment errors and overpayments using the ODJFS paper request process [except for services provided through a Medicaid managed

care program], is being proposed to amend language to be consistent with new billing practices being proposed by ODJFS for long-term care nursing facilities and for five-year rule review. This rule explains the necessary steps for resolving payment errors and overpayments using the ODJFS paper request process and details the necessary paper forms needed to complete a request. Changes include exempting long term care nursing facilities from this rule by placing the exemption in the title of this rule and deleting these exemptions from paragraphs (A) and (F).

Rule 5101:3-1-57, entitled Process for provider appeals from proposed department actions, is being proposed to amend language to be consistent with new billing practices being proposed by ODJFS for long-term care nursing facilities and for five-year rule review. This rule explains a provider's appeal and hearing rights under Chapter 119. of the Revised Code if either the provider's agreement is terminated, denied or not renewed or ODJFS has a fiscal audit finding against the provider. The only change to this rule was to delete the word "department" in paragraph (A) and replace it with Ohio Department of Job and Family Services (ODJFS).

A copy of the proposed rule(s) is available, without charge, to any person affected by the rule(s) at the address listed below. The rule(s) is also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rule(s) 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(s) or comments on the rule(s) 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 43215-0414, by fax at (614) 752-8298, or by e-mail at legal@odjfs.state.oh.us.