

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

DATE: May 24, 2005
TIME: 11:00 a.m.
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, 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 rescission and adoption of the rules as identified below and of a public hearing thereon.

Rule 5101:3-10-11, entitled Hearing aids, is being proposed for rescission in order to file a new rule in its place that will address the Ohio Medicaid program's updated coverage for digital and programmable hearing aids for children. This rule addresses the coverage and reimbursement criteria for the issue of a conventional hearing aid to Ohio Medicaid consumers. It is being replaced by new rule 5101:3-10-11.

Rule 5101:3-10-11, entitled, Hearing aids, is being proposed for adoption in order to replace the current hearing aid rule. This rule contains the coverage and reimbursement provisions for hearing aids. It is being proposed to specify coverage for digital and programmable hearing aids for children 20 years of age and younger. This rule also details the criteria that must be met, including prior authorization requirements for all types of hearing aids. Other provisions in this rule include revisions to the basic hearing test for children, a listing of several hearing aid types that are not covered by ODJFS, warranty requirements, and policy on the replacement of hearing aids for non-medical reasons. ODJFS estimates that there will be a fiscal impact to cover medically necessary digital and programmable hearing aids of approximately \$737,434 for the biennium in effect when this rule is effective on 9/1/05. This figure includes reimbursement costs for the hearing aids as well as dispensing fees and is addition to the current costs associated with supplying hearing aids under our current program during this time frame. This rule will replace former rule 5101:3-10-11.

A copy of the proposed rules is available, without charge, to any person affected by the rules at the address listed below and at the county departments of job and family services. The 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 public 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 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.