

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: September 20, 2005
TIME: 10:00 AM
LOCATION: Room 3110 B, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to Section 5111.02, 5111.16, 5111.17, and Chapter 119. of the Ohio Revised Code (ORC), the director of the Ohio Department of Job and Family Services (ODJFS) gives notice of the department's intent to consider the amendment or rescission of the rules identified below and of a public hearing thereon.

The rules identified below are being proposed for amendment or rescission in order to terminate the enhanced care management program effective October 31, 2005. The program is being terminated subsequent to amendments in Amended Substitute HB 66 which require the statewide implementation of a full-risk managed care program for certain Aged, Blind, and Disabled Medicaid consumers, including ECM eligibles.

Rule 5101:3-26-01, entitled Managed health care programs: definitions, is being proposed for amendment. This rule sets forth definitions for managed health care programs, as used in Chapter 5101:3-26 of the Ohio Administrative Code (OAC). The changes to the rule remove language referencing the enhanced care management program (ECM) and/or enhanced care management plans (ECMP).

Rule 5101:3-26-02, entitled Managed health care programs: eligibility, membership and automatic renewal of membership, is being proposed for amendment. This rule sets forth managed health care program eligibility criteria, the process for selection of a managed care plan (MCP), the definition of coverage periods, and the process for selection of an ECMP. The changes to the rule remove language referencing ECM and/or ECMPs.

Rule 5101:3-26-02.1, entitled Managed health care programs: termination of membership, is being proposed for amendment. This rule sets forth the conditions under which MCP and ECMP membership may be terminated. The changes to the rule remove language referencing ECM and/or ECMPs.

Rule 5101:3-26-04, entitled Managed health care programs: procurement and plan selection, is being proposed for amendment. This rule sets forth the procurement process used by ODJFS to select prospective MCPs and ECMPs to enter into provider agreements to serve eligible Medicaid individuals. The changes to the rule remove language referencing ECM and/or ECMPs.

Rule 5101:3-26-06, entitled Managed health care programs: program integrity-fraud and abuse, audits, reporting, and record retention, is being proposed for amendment. This rule sets forth administrative procedures which MCPs must establish to guard against fraud and abuse, conditions under which MCPs and ECMPs may be audited, MCP and

ECMP reporting requirements, and record retention schedules. The changes to the rule remove language referencing ECM and/or ECMPs.

Rule 5101:3-26-07, entitled Managed health care programs: annual external quality review survey, is being proposed for amendment. This rule sets forth the conditions under which ODJFS will provide for an annual, external, and independent review of MCPs and ECMPs, data submission requirements for MCPs and ECMPs, and required actions to be taken by MCPs and ECMPs to address any deficiencies evidenced by the survey. The changes to the rule remove language referencing ECM and/or ECMPs.

Rule 5101:3-26-08, entitled Managed health care programs: marketing, is being proposed for amendment. This rule sets forth requirements for MCP and ECMP marketing activities, marketing materials, and marketing plans. The changes to the rule remove language referencing ECM and/or ECMPs.

Rule 5101:3-26-08.1, entitled Managed health care programs: information and selection services, is being proposed for amendment. This rule sets forth the conditions under which ODJFS may provide information and selection services to eligible individuals. The changes to the rule remove language referencing ECM and/or ECMPs.

Rule 5101:3-26-08.2, entitled Managed health care programs: member services, is being proposed for amendment. This rule sets forth requirements for MCP and ECMP member services and member materials. The changes to the rule remove language referencing ECM and/or ECMPs.

Rule 5101:3-26-09, entitled Managed health care programs: reimbursement and financial responsibility, is being proposed for amendment. This rule sets forth the process used to reimburse MCPs and ECMPs for the cost of services provided and establishes fiscal responsibility requirements for MCPs and ECMPs. The changes to the rule remove language referencing ECM and/or ECMPs, and adds a Revised Code reference.

Rule 5101:3-26-10, entitled Managed health care programs: sanctions and provider agreement actions, is being proposed for amendment. This rule sets forth sanctions that may be imposed on MCPs and ECMPs for failure to fulfill contractual and/or legal obligations and establishes the conditions under which an MCP or ECMP provider agreement may be terminated, nonrenewed, denied, or amended. The changes to the rule remove language referencing ECM and/or ECMPs.

Rule 5101:3-26-12, entitled Managed health care programs: ECMP obligations, is being proposed for rescission. This rule sets forth obligations of enhanced care management plans contracted with ODJFS for the provision of services to Medicaid individuals, including requirements for subcontracts, member services, and care coordination.

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 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.