

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: November 21, 2005
TIME: 10:00 a.m.
LOCATION: Room 2925, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to Sections 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 adoption of the rules identified below and of a public hearing thereon.

The rules identified below are being proposed for amendment or adoption in order to implement a statewide expansion of the Ohio Medicaid full-risk managed care program. As mandated by Amended Substitute HB 66, all Covered Families and Children (CFC) with limited exceptions and certain Aged, Blind, and Disabled (ABD) Medicaid consumers must be enrolled in the full-risk managed care program by December 2006.

The effective date for the proposed rule changes is January 1, 2006.

Rule 5101:3-26-03, entitled Managed health care programs: covered services, is being proposed for amendment. This rule sets forth the services that managed care plans (MCPs) are required to provide to Medicaid managed care consumers. The changes to the rule specify the circumstances under which a Medicaid MCP is permitted to refer its members to a non-contracting hospital for non-emergency hospital services. The changes to the rule add language requiring non-contracting hospitals to accept the Medicaid fee-for-service rate for non-emergency hospital services when authorized by ODJFS. A provision was also added to this rule to require MCPs to pay non-contracting hospitals for all emergency services regardless of whether the services meet an emergency medical condition definition.

Rule 5101:3-26-05, entitled Managed health care programs: provider panel and subcontracting requirements, is being proposed for amendment. This rule sets forth requirements for MCP subcontracts and MCP provider panels, including provider qualifications. The changes to the rule add language clarifying the compensation amount for Medicaid-covered non-emergency hospital services. The rule also permits the subcontractor to collect a co-payment if the MCP has elected to implement a member co-payment program.

Rule 5101:3-26-11, entitled Managed health care programs: managed care plan non-contracting providers, is being proposed for amendment. This rule sets forth requirements for MCP non-contracting providers, including payment for services delivered, billing MCP members, post-stabilization services, and access to medical records. The changes to the rule add language to outline the conditions under which a non-contracting hospital must accept the Medicaid rate for non-emergency hospital

services when ODJFS has authorized the MCP's membership to be sent to the non-contracting hospital.

Rule 5101:3-26-13, entitled Managed health care programs: member co-payments is being proposed for adoption. This is a new rule that sets forth provisions and conditions for a member co-payment program permitted by Amended Substitute HB 66 for those MCPs that elect to implement a member co-payment program for dental services, vision services, non-emergency emergency department services and prescription drugs, other than generic drugs.

A copy of the proposed rules is available, without charge, to any person affected by the rules, at the address listed below. 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.