

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: December 13, 2005
TIME: 10:30 a.m.
LOCATION: SOT, room 3110B, 30 E. Broad St., Columbus, OH 43215

Pursuant to section 5101.75 and 5111.02 and Chapter 119, of the Revised Code, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the rescission of rules 5101:3-3-151, 5101:3-3-152, and replace them with rules 5101:3-3-15.1 and 5101:3-3-15.2, and a public hearing upon the proposed adoption.

Rule 5101:3-3-15.1 – Preadmission Screening (PAS) Requirements for Individuals Seeking Admission to Nursing Facilities (NFs) and/or PASSPORT home and community-based services (HCBS) waiver enrollment makes the following updates and changes to the rule it is replacing (5101:3-3-151):

- Updates and adds definitions.
- Excludes admissions from psychiatric hospitals from the convalescent stay exemption from PAS.
- Excludes hospital discharges within 60 days of an adverse PAS or RR from convalescent stay exemption.
- Transfers between PASSPORT and NFs are treated the same as transfers between NFs (if there is a PAS, it transfers for instate transfers)
- Includes in new admissions persons going to NF from IMD who are 22-64 and requires PAS.
- Changes requirements for out of state transfers with indications of MRDD and/or SMI to include a Level 2 screen.
- Adds language to allow state agencies to make adverse determination if missing information is not provided within specified timeframes.

Rule 5101:3-3-15.2 – Resident Review (RR) requirements for individuals residing in nursing facilities (NFs) makes the following updates and changes to the rule it is replacing (5101:3-3-152):

- Updates and adds definitions.
- Made changes to convalescent exemptions to be consistent with 5101:3-3-15.1.
- Added requirement RR for readmissions and transfers following psychiatric stay without significant change in condition.
- Requires notification of adverse determinations to CDJFS to improve timeliness of termination of vendor pay.

The Department estimates that the proposed adoption of the rules listed above of the Ohio Administrative Code will not increase nor decrease the annual aggregate expenditures.

A copy of each proposed rule is available, without charge, to any person affected by the rule at the address listed below. The rule is 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 St, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at legal@odjfs.state.oh.us.