

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: May 17, 2006
TIME: 11:00 a.m.
LOCATION: Room 2925, 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 gives notice of the department's intent to consider the adoption, amendment, and rescission of the rules as identified below and of a public hearing thereon.

The OAC Chapter 5101:3-32 dealing with the Choices HCBS Waiver program is being revised and consolidated. These changes are being made to update the rules to reflect that the Ohio Department of Aging has authority in ORC 173.391 to certify providers and define services delivered in the Aging Network. These changes are not substantive changes to the program, but administrative changes to make the rules reflect the statutory authority and to update references in the rules.

The following rules are affected by these changes as indicated:

- 5101:3-1-06.4, Home and Community Based Service Waivers: Choices - is being amended to update the Appendix A with the changed service titles and to change rates ceilings to reflect new service definitions. These are not changes to the rates.
- 5101:3-32-02, Definitions for Choices Program – is being amended to add new definitions and to update references.
- 5101:3-32-03, Eligibility for enrollment for the Choices Program – is being amended to clarify eligible consumers based on residence, and to explain when a consumer may be denied enrollment, disenrolled and to provide for hearing rights when those actions are taken.
- 5101:3-32-04, Provider Conditions of Participation – is being rescinded and replaced.
- 5101:3-32-04, Provider Conditions of Participation – replaces the previous version of the rule and requires ODA certification as a condition of participation as a Medicaid provider for the Choices HCBS Waiver.
- 5101:3-32-05, Service Specifications for the Choices program – is being rescinded and replaced.

- 5101:3-32-05, Choices HCBS Waiver Covered Services – replaces the previous version of the rule. This rule identifies services covered by Medicaid in the Choices HCBS Waiver and references the ODA rules defining those services.
- 5101:3-32-06, Case Management – is being rescinded as obsolete.
- 5101:3-32-06, Enrollment process for Choices HCBS Medicaid Waiver Program – is being proposed as new. This rule identifies the process for enrollment in the Choices HCBS waiver and explains hearing rights.
- 5101:3-32-07, Choices HCBS Waiver Rate Setting – this rule outlines the methodology for determining provider rates for services under the waiver. This rule replaces a rule previously numbered 5101:3-32-08 and has been re-numbered to consolidate the chapter.
- 5101:3-32-08, Choices HCBS Waiver Rate Setting – this rule is being rescinded and has been re-numbered as 5101:3-32-07 to consolidate the chapter.

Copies of the proposed rules are 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, by fax at (614) 752-8298, or by e-mail at legal@odjfs.state.oh.us. Comments received may be reviewed at this address.