

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

**DATE:** July 18, 2006  
**TIME:** 10:00 a.m.  
**LOCATION:** Room 3110B, 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 amendment and adoption of the rules as identified below and of a public hearing thereon.

Rule 5101:3-10-09 Apnea monitors is being proposed for amendment because of the five-year rule review process and to maintain HIPAA compliance. This rule sets forth the definitions and requirements for eligibility for an apnea monitor. This rule is being amended primarily to make the rule HIPAA compliant due to the recent program elimination of local level procedure codes for apnea monitor download services as well as pneumograms. In addition, the portion of this rule involving capped rental is being eliminated from this rule. It is estimated that the changes to this rule would result in a decrease of program expenditures to the durable medical equipment (DME) program of approximately \$40,000 annually.

Rule 5101:3-10-29 External insulin infusion pump is being proposed for adoption in response to stakeholder request for specific coverage criteria to be developed and codified in the Ohio Administrative Code regarding the use and reimbursement for insulin infusion pumps. This rule defines the coverage and non-coverage criteria for the acquisition of an insulin infusion pump. In addition, this rule provides provider instructions for submission of successful claims for the rendering of services to consumers utilizing an infusion pump. This rule also includes a revised certificate of medical necessity (CMN), JFS 07136 (rev. 2/2006) "Certificate of Medical Necessity/Prescription External Infusion Pump," which would be utilized by providers of infusion pumps to support prior authorization requests for this type of equipment. The agency does not anticipate that the adoption of this rule will result in a net impact to the annual budget because this rule is simply clarifying current coverage at the stakeholders request.

A copy of the proposed rules, including the CMN, 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. These 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, 31<sup>st</sup> Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at [rules@odjfs.state.oh.us](mailto:rules@odjfs.state.oh.us). Comments received may be reviewed at this address.