

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: November 21, 2006
TIME: 10:00 a.m.
LOCATION: Room 3110B, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to Sections 5111.0112, 5111.02, 5111.16, 5111.162, and 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 of the rules identified below and of a public hearing thereon.

The effective date for the proposed rule changes is January 1, 2007.

The rules identified below are being proposed for amendment in order to update and clarify provisions of the rule.

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. The changes to the rule modify the definition of a managed care plan (MCP).

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 provisions and conditions for eligibility, membership, and automatic renewal of membership in managed health care programs. The changes to the rule correct an OAC citation and revise language to clarify individuals not required to enroll in an MCP.

Rule 5101:3-26-07, entitled Managed health care programs: annual external quality review survey, is being proposed for amendment. This rule sets forth provisions for an annual external quality review survey. The changes to the rule revise how an MCP is held accountable for external quality review (EQR) survey results and how an MCP may address EQR deficiencies.

The rules identified below are being proposed for amendment in order to implement section 6085 of the federal Deficit Reduction Act (DRA) of 2005; section 5111.0112 of the Revised Code, as amended under Am. Sub. H.B. 530; section 5111.163 of the Revised Code, as adopted under Am. Sub. H.B. 530; and 42 C.F.R. 438.106 and 438.60.

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 are required to provide to Medicaid managed care consumers. The changes to the rule add language to clarify MCP reimbursement for emergency services delivered by a non-

contracting provider as stipulated in section 6085 of the DRA and section 5111.163 of the Revised Code, as adopted under Am. Sub. H.B. 530.

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 managed care plan provider panels and subcontracts. The changes to the rule revise language regarding MCP subcontract requirements, to mirror federal language contained in 42 C.F.R. 438.106 and 438.60.

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 managed care plan non-contracting providers. The changes to the rule add language to clarify MCP reimbursement for emergency services delivered by a non-contracting provider as stipulated in section 6085 of the DRA and section 5111.163 of the Revised Code, as adopted under Am. Sub. H.B. 530.

Rule 5101:3-26-12, entitled Managed health care programs: member co-payments, is being proposed for amendment. This rule sets forth provisions for managed care plan member co-payments. The changes to the rule add language from section 5111.0112 of the Revised Code, as amended under Am. Sub. H.B. 530, which specifies the circumstances in which a hospital provider may waive a member's obligation to pay the provider a co-payment.

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 rules@odjfs.state.oh.us.