

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

**DATE:** December 21, 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 of the rules as identified below and of a public hearing thereon.

Rule 5101:3-10-15 Transcutaneous electrical nerve stimulators (TENS) is being proposed for amendment because of the five-year rule review process. This rule sets forth the definitions and requirements for eligibility for a TENS unit. This rule is being amended primarily to make the rule reflective of recent program changes in regards to the program coverage of TENS units. This rule has had additional coverage criteria added to it as well as the introduction of a new certificate of medical necessity (CMN) "Certificate of Medical Necessity/Prescription Transcutaneous Electrical Nerve Stimulators (TENS)" JFS 03402 to be utilized by providers to request the prior authorization of TENS services. The addition of billing and dispensing criteria to this rule will also aid providers in filing claims for these services.

Rule 5101:3-10-23 Pulse oximeters is being proposed for policy amendments in association with five year rule review. This rule was amended primarily to make the rule reflective of recent program changes in regards to the program coverage of pulse oximeters. This rule also proposes a new CMN "Certificate of Medical Necessity/Prescription Pulse Oximeter" JFS 03401 which would be utilized by providers of pulse oximeters to support prior authorization requests for this type of equipment. The addition of billing and dispensing criteria to this rule will also aid providers in filing claims for these services. The rental period for a pulse oximeter before a consideration of purchase can be made has been changed from nine months to ten months in order to align this rule language with the current reimbursement method for "rent to purchase" items.

It is estimated that neither of these two rules will have an impact on the yearly program expenditures of the department.

A copy of the proposed rules, including the certificates of medical necessity 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.