

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

Date: February 16, 2007

Time: 10:00am

Location: Room 2925, State Office Tower, 30 East Broad St. Columbus OH 43215

Pursuant to section 5111.02 and Chapter 119. of the Ohio Revised Code and 42 CFR447.205, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the permanent amendment of the rules as identified below and of public hearing thereon. These rules were amended on an emergency basis, on or about 12/29/06, and now they are being proposed for permanent amendment as follows.

Rule 5101:3-4-06, entitled physician visits, outlines coverage provisions for all physician visits. It is being amended to incorporate policy changes resulting from the changes in codes in the 2007 Healthcare Common Procedure Coding System (HCPCS) and the Current Procedure Terminology (CPT) manuals. The paragraph addressing consultations was amended to incorporate new instructions in the 2007 CPT book regarding billing for consultations. Other amendments include: 1) updating the list of valid physician visit codes that are counted as a physician visit and added to the recipient's year to date visit total; 2) revising the billing instructions for consultations to indicate the referring physician provider information in accordance with rule 5101:3-1-19.3 of the Administrative Code; 3) revising the paragraph addressing limitations on physician visits to remove the phrase regarding voluntary enrollment in a managed care plan, since managed care is mandatory for most Medicaid eligible consumers. Any fiscal impact due to fee schedule changes that relate to this rule has been reported in the notice and rule summary and fiscal analysis for rule 5101:3-1-60 of the Ohio Administrative Code where those fee schedule changes are set forth.

Rule 5101:3-4-17, entitled gastroenterology, otorhinolaryngology, endocrinology, neurology, photodynamic therapy, and special dermatology services, outlines coverage provisions for these services. It is being amended to incorporate policy changes resulting from the changes in codes in the 2007 Healthcare Common Procedure Coding System (HCPCS) and the Current Procedural Terminology (CPT) manuals. Changes include an updated list of otorhinolaryngologic, neurology, and neuromuscular procedure codes that are considered technical services and are only covered as a physician service when the service is provided in a non-hospital setting. Any fiscal impact due to fee schedule changes that relate to this rule has been reported in the notice and rule summary and fiscal analysis for rule 5101:3-1-60 of the Ohio Administrative Code where those fee schedule changes are set forth.

Rule 5101:3-4-18, entitled pulmonary services, outlines coverage provisions for pulmonary services. It is being amended for five year rule review and to incorporate policy changes resulting from the changes in codes in the 2007 Healthcare Common

Procedure Coding System (HCPCS) and the Current Procedural Terminology (CPT) manuals. Changes include the addition of continuous inhalation treatment with aerosol medication as a technical pulmonary service, and an updated listing of professional service codes associated with pulmonary services and how they can be billed depending on location and other services provided. Any fiscal impact due to fee schedule changes that relate to this rule has been reported in the notice and rule summary and fiscal analysis for rule 5101:3-1-60 of the Ohio Administrative Code where those fee schedule changes are set forth.

Rule 5101:3-4-22, entitled surgical services, outlines coverage provisions for surgical services performed by physicians. It is being amended to incorporate policy changes resulting from the changes in codes in the 2007 Healthcare Common Procedure Coding System (HCPCS) and the Current Procedural Terminology (CPT) manuals. Changes include updating appendix A to the surgery rule to add new 2007 CPT surgery codes where pricing deductions for bilateral surgery, multiple surgery, or assistant at surgery apply. Codes discontinued by the AMA are stricken from the appendix effective for claims with a date of service on or after January 1, 2007. Any fiscal impact due to fee schedule changes that relate to this rule has been reported in the notice and rule summary and fiscal analysis for rule 5101:3-1-60 of the Ohio Administrative Code where those fee schedule changes are set forth.

A copy 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 43215-3434, by fax at (614) 752-8298, or by email at rules@odjfs.state.oh.us. Comments may be reviewed at this address.