

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

**DATE:** May 22, 2007  
**TIME:** 10:00 a.m.  
**LOCATION:** Room 2925, 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 July 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 add language to clarify the definition of "coordination of benefits," replace the term and definition for a "selection services entity" with the term and definition for a "managed care enrollment center," and correct typographical errors.

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 revise language for consistency with the proposed changes to rule 5101:3-26-01, and remove language regarding requests for exclusion from managed care plan membership made by eligible individuals or MCP members.

Rule 5101:3-26-02.1, entitled Managed health care programs: termination of membership, is being proposed for amendment. This rule sets forth provisions for the termination of membership in managed health care programs. The changes to the rule revise language for consistency with the proposed changes to rules 5101:3-26-01 and 5101:3-26-03, and add language to clarify when automatic termination of managed care plan membership occurs for members in residential facilities and intermediate care facilities for the mentally retarded (ICF-MRs).

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 revise language to clarify managed care plan responsibility for the payment of covered services when a managed care plan member is placed in a nursing facility.

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 add language to clarify the required elements of managed care plan subcontract Medicaid addendums, revise an OAC citation, and correct typographical errors.

Rule 5101:3-26-08, entitled Managed health care programs: marketing, is being proposed for amendment. This rule sets forth requirements for managed care plan marketing activities. The changes to the rule revise language regarding the return address on managed care plan mailings to eligible individuals when those mailings are processed by ODJFS, and correct a typographical error.

Rule 5101:3-26-09.1, entitled Managed health care programs: third party recovery, is being proposed for amendment. This rule sets forth provisions for managed care plan responsibilities with regard to ODJFS recovery from third party payers of the cost of medical services rendered to managed care plan members. The changes to the rule revise language for consistency with the proposed changes to rule 5101:3-26-01, add language to clarify that managed care plans are the primary payer of Medicaid covered services rendered by Title V programs, and correct a typographical error.

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, 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).