

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

**DATE:** September 18, 2007  
**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, 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: 3-12-01, entitled Home health services: provision requirements, coverage, and service specification, is being proposed for amendment at the request of stakeholders, including Ohio Department of Job and Family Services Bureau of Child Care and Development, consumers, and sister agencies, to enable children with medically-complex conditions to receive medical care in a regulated child care center, and a natural environment where early intervention (EI) services are provided. This amendment is intended to reduce the isolation that homebound children may experience while at the same time allowing their parents to return to work or school. Also, this rule is being amended at the request of stakeholders to clarify language of paragraph (C) that only the treating physician can determine medical necessity.

This rule sets forth provisions for the home health service requirements, coverage, and specification. The changes to the rule are at the request of stakeholders, including Ohio Department of Job and Family Services Bureau of Child Care and Development, consumers, and sister agencies, to enable children with medically-complex conditions to receive medical care in a regulated child care center, and a natural environment where early intervention (EI) services are provided. This amendment is intended to reduce the isolation that homebound children may experience while at the same time allowing their parents to return to work or school. Also, this rule is being amended at the request of stakeholders to clarify language of paragraph (C) that only the treating physician can determine medical necessity.

Rule 5101: 3-12-01, entitled Medicare certified home health agencies (MCRHHA): qualifications and requirements, is being proposed for amendment to help streamline the transition for both Medicare certified home health agencies and consumers from Medicaid fee-for-service to Medicaid managed care. This rule sets forth provisions for eliminating Medicare certified home health agencies' (MCRHHAs) requirement to submit written notification to the consumer at least thirty days prior to the last date of service if the consumer has been enrolled in a Medicaid managed care plan. The title of JFS 07137 was also changed to reflect the correct title.

A copy of the proposed rules are 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).