

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

**Date: October 2, 2007**

**Time: 10:00a.m.**

**Location: Room 3110B, State Office Tower, 30 East Broad St. Columbus OH 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 and adoption of the rules as identified below and of public hearing thereon.

Rule 5101:3-4-21, entitled Anesthesia services, outlines coverage provisions for anesthesia services. This rule is being amended because of five year rule review. The amendments include removing anesthesia code 01995 from paragraph (B) (7) (a) since this is no longer a valid anesthesia code. The list of conditions under which the Department will reimburse a provider for two anesthesia procedures performed on the same patient on the same date of service has been updated to include a patient receiving anesthesia for a vaginal delivery of a newborn and anesthesia for a tubal ligation procedure meeting the requirements specified in rule 5101:3-21-01 of the Administrative Code. The billing requirements for medicaid crossover claims have been updated replacing the rendering provider's medicaid provider number with their medicaid legacy number and the "pay to" providers medicaid provider number with their medicaid legacy number. The billing requirements for certified registered nurse anesthetist's (CRNA) employed by a physician or physician group have been updated requiring the CRNA's medicaid legacy number and national provider identifier number (NPI) be listed on the claim as the rendering provider and the medicaid legacy number and NPI number of the employing physician or physician group be listed as the "pay to" provider. The Department estimates that the total increase in expenditures is \$11,000.00 annually associated with the amendments to this rule.

Rule 5101:3-4-27, entitled Physician Reimbursement of Medical Supplies and Durable Medical Equipment, outlines policies and procedures for physicians to dispense and receive reimbursement for medical supplies and durable medical equipment. It is being proposed for adoption to reinstate the policies and procedures physicians must follow to receive reimbursement for medical supplies and durable medical equipment. It replaces former rule 5101:3-4-27, rescinded January 2001. The policies and procedures include a physician may not receive separate reimbursement for medical supplies and durable medical equipment utilized in a physician's office, clinic, or patient's home during a physician visit. A physician may receive reimbursement for these supplies and equipment dispensed by a physician in the physician's office, clinic, or patient's home if the physician has a "supplies and durable medical equipment" category of service (32). All physicians who have a valid "medicaid provider agreement" are eligible to apply for and receive "supplies and durable medical equipment" category of service. The scope and extent of coverage for medical supplies and durable medical equipment are detailed in Chapter 5101:3-10 of the Administrative Code. All medical supplies and durable medical equipment require a written prescription by a physician, which must be kept on

file in accordance with rule 5101:3-1-17.2 of the Administrative Code. All claims for medical supplies and durable medical equipment must be billed in accordance with rule 5101:3-10-05 of the Administrative Code. The department estimates there is no fiscal impact as a result of the implementation of this rule.

Copies 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 copies 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 43215-3434, by fax at (614) 752-8298, or by email at [rules@odjfs.state.oh.us](mailto:rules@odjfs.state.oh.us).