

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

DATE: November, 20, 2007
TIME: 10:00 a.m.
LOCATION: Room 2925, 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 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.

The dental services rules are being amended to restore coverage for the reduced dental benefit for consumers twenty-one years of age and older effective January 1, 2006 and to update terminology. Am. Sub. House Bill 119 (127th General assembly) (Budget bill) contained funds authorizing the restoration.

The department estimates that expenditures will increase by \$19,159,412 on an annual aggregate basis as a result of the changes to the dental rules.

The proposed effective date of all the rules listed below is January 1, 2008.

Rule 5101:3-5-01 entitled "Dental program: general provisions" is being amended to remove terminology regarding the adoption of a modified dental benefit that is less in amount, scope and duration for consumers twenty-one years of age and older.

Language has been added recognizing advanced practice nurses as authorized prescribers of drugs and requiring providers to utilize their national provider identifier number (NPI) on prescriptions. Additionally, language regarding the prior authorization (PA) of certain dental services and the required forms for prior authorization of dental services has been added. These forms have been revised primarily to include NPI fields.

Rule 5101:3-5-02 entitled "Dental program: covered diagnostic services and limitations" is being amended to remove terminology limiting coverage of the periodic oral evaluation to once every three hundred and sixty five days for consumers twenty-one years of age and older and the elimination of coverage for temporomandibular joint films for consumers age twenty-one years and older. Reference to coverage of evaluations for the purpose of adjusting dentures in Ohio Administrative Code 5101:3-28-04 has been added.

Rule 5101:3-5-04 entitled "Dental program: covered preventive services and limitations" is being is being amended to remove terminology limiting the coverage of the dental prophylaxis to once every three hundred and sixty five days and to eliminate coverage for space maintenance (passive appliances) for consumers twenty-one years of age and older.

Rule 5101:3-5-05 entitled "Dental program: covered restorative services and limitations" is being amended to remove terminology eliminating coverage of crowns, posts and related services for consumers twenty-one years of age and older. Language clarifying program coverage and reimbursement for multiple surface, separate restorations has been added.

Rule 5101:3-5-06 entitled "Dental program: covered endodontic services and limitations" is being amended to remove terminology limiting coverage of endodontic services to anterior root canal procedures for consumers twenty-one years of age and older.

Rule 5101:3-5-07 entitled "Dental program: covered periodontic services and limitations" is being amended to remove terminology eliminating coverage of periodontic services for consumers twenty-one years of age and older.

Rule 5101:3-5-08 entitled "Dental program: covered removable prosthodontic services and limitations" is being

amended to remove separate reimbursement for additional clasps required for partial dentures.

Rule 5101:3-5-09 entitled “Dental program: covered oral surgery services and limitations” is being amended to remove terminology limiting coverage of oral surgery services to simple extractions and surgical procedures covered as physician services utilizing current procedural terminology (CPT) codes for consumers twenty-one years of age and older.

Additionally, terminology is amended to clarify the billing for the surgical removal of a supernumerary tooth.

Rule 5101:3-5-10 entitled “Dental program: covered orthodontic services and limitations” is being amended to remove terminology eliminating coverage for fixed and removable appliance therapy services for consumers twenty-one years of age and older. Language specifying the required forms for prior authorization of orthodontic services has been added.

Rule 5101:3-5-11 entitled “Dental program: other covered services and limitations” is being amended to remove terminology eliminating coverage of temporomandibular therapy services for consumers twenty-one years of age and older.

In addition, the following psychology and chiropractic services rules are being amended:

Rule 5101:3-8-05 entitled: “Covered psychology services and limitations” is being amended in accordance with Am. Sub. House Bill 119 (127th General Assembly) which authorized the restoration of psychology benefits for Medicaid consumers 21 years of age and older when provided by an independent psychologist or independent group psychologist practices.

The department estimates that expenditures will not increase due to the changes to the psychology rule as consumers have been receiving these services through other eligible medicaid providers.

Rule 5101:3-8-11 entitled: “Covered chiropractic physician services and limitations” is being amended in accordance with section 309.30.60 of Am. Sub. House Bill 119 (127th General Assembly) which authorized the restoration of chiropractic benefits for Medicaid consumers 21 years of age and older to a maximum limit of fifteen visits per consumer per twelve month period in an outpatient setting.

The department estimates that expenditures will increase by \$800,000 on an annual aggregate basis as a result of the changes to the chiropractic rule.

A copy of the proposed rules is available without charge to any person affected by it at each county department of job and family service office and at the address listed below. The proposed rule is also available on the internet at: <http://www.registerofohio.state.oh.us/>.

A public hearing on the proposed rule will be held at the date, time and location listed at the top of this notice. Either written or verbal testimony on the proposed rule will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the hearing will be treated as testimony.

Requests for a copy of the proposed rule or comments on the rule should be submitted by mail to Ohio Department of Job and Family Services, Office of Legal Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-0414, by fax at (614) 752-8298, or by e-mail at legal@odjfs.state.oh.us. Written comments received may be reviewed at this address.