

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

**DATE:** January 9, 2008  
**TIME:** 10:00 a.m.  
**LOCATION:** Lobby Hearing Room, Rhodes State Office Tower  
30 East Broad St., Columbus, Ohio 43215

Pursuant to section 5111.02 and Chapter 119. of the Ohio Revised Code (ORC) 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, adoption, and rescission of the rules as identified below and of a public hearing thereon.

Rule **5101:3-10-30**, entitled "Value purchasing: Ohio preferred durable medical equipment (DME) program." is being proposed in response to the recommendation made by the Ohio Commission to Reform Medicaid that the Ohio medicaid program should utilize its inherent purchasing power to negotiate distinct provider contracts to provide medical equipment and supplies to medicaid consumers.

This rule provides elaboration to providers of medical equipment and supplies regarding the department's intention to establish a value purchasing system utilizing a competitive bid process or otherwise for items or services currently listed on the department's medical supply lists. Any item or service designated on the supply lists as being supplied to a medicaid consumer as a result of a value purchasing agreement between the department and a selected provider will not be directly reimbursable to any provider not selected by the department through the competitive bid process or otherwise to supply the equipment, supplies or services in question.

When the department has determined that a specific item or service listed on the medicaid supply lists are to be subject to the value purchasing concept that is contained in this rule there will be a subsequent rule amendment to the medicaid supply lists to notate the specific item or service in question as a value purchased item subject to the provisions of this rule. Any items or supplies subjected to value purchasing will have their maximum allowable reimbursement amount for the Medicaid program determined by the prevailing bid as opposed to utilizing the Medicare fee schedule to set such prices.

The department estimates that this rule filing will have no direct financial impact for the agency during the current year.

Any specifics or financial impact statements relevant to the department as a result of any DME contract being proposed by the department would be contained in future rule filings of OAC rule 5101:3-10-03 "Medicaid Supply List" or 5101:3-10-20 "Covered orthotic and prosthetic services and associated limitations."

A copy of the proposed rule is available, without charge, to any person affected by the rule at the address listed below and at the county departments of job and family services.

This 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 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 rule or comments on the rule 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). Comments received may be reviewed at this address.