

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: October 3, 2008
TIME: 10:00 a.m.
LOCATION: Room 3110B, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to sections 5111.0112 and 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 5101:3-1-60, entitled "Medicaid reimbursement," is being proposed for amendment to add coverage for three new vaccine codes and to delete a vision code. The rule sets forth the payment provisions for a number of covered services and provider types. Maximum reimbursement amounts for services billed using CPT and HCPCS codes are contained in appendix DD to this rule. The three new vaccine codes are being added to be compliant with provisions of rule 5101:3-4-12 regarding the Vaccines for Children (VFC) program. As of 1/1/09, the vision code for anti-reflective coatings will not be included in the new vision contract and is therefore being removed from coverage effective on that date. Changes to the rule are to appendix DD. The three new vaccines and their corresponding CPT codes are being added to the appendix: 90681 - Rota (Rotavirus vaccine, live, oral); 90696 - DTaPIPv (diphtheria and tetanus toxoids and acellular pertussis adsorbed and inactivated poliovirus vaccine); and 90698 DTaPIPHi (diphtheria and tetanus toxoids and acellular pertussis adsorbed, inactivated poliovirus and haemophilus b conjugate). Also, the vision code V2750, which is for anti-reflective coatings, is being deleted from the appendix. There are no changes to the body of the rule.

Rule 5101:3-4-12, entitled "Immunizations," is being proposed for amendment to include three new vaccines for the Vaccines for Children (VFC) program. The rule sets forth the coverage and reimbursement policy for immunizations within the Ohio Medicaid program. The rule identifies those vaccines that are covered by the VFC program, which is operated by the Ohio Department of Health, and those that are not covered by the VFC program, and the rule provides guidance on billing in either instance. The VFC program was created by Congress in 1993 following a measles epidemic resulting in tens of thousands of cases of measles and hundreds of deaths. More than half the children who had measles had not been immunized. The Advisory Committee on Immunization Practices (ACIP) approves which vaccines are available through the VFC program. Section 1905(r)(1) of the Social Security Act, 42 U.S.C. 1396d(r)(1), provides that screening services for all Medicaid recipients under the age of 21 shall include appropriate immunizations, to be provided according to the recommendations of the ACIP. Recently, ACIP has approved three new vaccines for the VFC program, and rule 5101:3-4-12 is being amended to include these new vaccines. The new vaccines and their procedure codes are: 90681 - Rota (Rotavirus vaccine, live, oral); 90696 - DTaPIPv

(diphtheria and tetanus toxoids and acellular pertussis adsorbed and inactivated poliovirus vaccine); and 90698 – DTaPIPHI (diphtheria and tetanus toxoids and acellular pertussis adsorbed, inactivated poliovirus and haemophilus b conjugate).

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, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov.