

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

DATE: December 30, 2008
TIME: 10:00 A.M.
LOCATION: Rhodes State Office Tower, 30 East Broad Street,
Lobby Hearing Room, 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 Ohio Department of Job and Family Services gives notice of the department's intent to file on a permanent basis the adoption, amendment, or rescission of the rules or rules as identified below, to be effective February 25, 2008, and the department's intent to consider the adoption, amendment, or rescission of the rule or rules as identified below on a permanent basis and of a public hearing thereon.

The Individuals with Disabilities Education Act (IDEA) mandates public schools to provide specific healthcare benefits to children with special needs. The purpose of these rules is to provide an opportunity for schools to receive Medicaid reimbursement for the healthcare services they provide to Medicaid eligible children ages 3 to 21 who receive the services through an Individualized Education Program (IEP) developed in accordance with IDEA. Ohio Medicaid has received federal approval to implement this reimbursement program.

Rule 5101:3-35-01 entitled Definitions, is being proposed for adoption to define terms used in proposed Chapter 5101:3-35 of the Ohio Administrative Code.

Rule 5101:3-35-02 entitled Qualifications To Be A Medicaid School Program (MSP) Provider, is being proposed for adoption to set forth the qualifications to become and the requirements for a MSP provider.

Rule 5101:3-35-04 entitled Reimbursement for Services Provided By Medicaid School Program (MSP) Providers, is being proposed for adoption to set forth the provisions for claiming to receive Medicaid reimbursement for the provision of services by MSP providers.

Rule 5101:3-35-05 entitled Services Authorized for Medicaid Coverage That Can Be Provided By Medicaid School Program (MSP) Providers, is being proposed for adoption to set forth the services authorized for Medicaid coverage that a MSP provider can provide, and to set forth the conditions for providing the services.

Rule 5101:3-35-06 entitled Other Services, Medical Supplies And Equipment Authorized for Medicaid Coverage That Can Be Provided By Medicaid School Program (MSP) Providers, is being proposed for adoption to set forth the services, beyond those indicated in rule 5101:3-35-05 of the Administrative Code, authorized for Medicaid coverage that a MSP provider can provide, and to set forth the conditions for providing the services.

Fee-for-service rates will be used in the interim to reimburse for services with final reimbursement based upon a cost report. The aggregate increase in expenditures for Ohio's Medicaid program as a result of implementing the Medicaid School Program is estimated to be approximately \$56.2 million in federal funds in state fiscal year 2009. The Medicaid School Program provider will be responsible for the non-federal share of costs. Therefore, there is no increase in expenditure of state funds anticipated as a result of implementing the Medicaid School Program.

A copy of the proposed permanent rule(s) is available, without charge, to any person affected by the rule(s) at the address listed below and at the county departments of job and family services. The rule(s) is also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed permanent rule(s) 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(s) or comments on the rule(s) 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. Comments received may be reviewed at this address.