

LEGAL NOTICE

STATE OF OHIO
DEPARTMENT OF JOB AND FAMILY SERVICES

Pursuant to Section 5111.02 and Chapter 119. of the Ohio Revised Code, the Director of the Department of Job and Family Services gives notice of the department's intent to amend rules 5101:3-1-19.3, 5101:3-4-06, rescind and replace as new rule 5101:3-4-06.1, and amend rules 5101:3-4-17 and 5101:3-4-25.

Rule 5101:3-4-06 entitled "Physician visits" is being amended to modify policy since the AMA CPT guidelines and codes were revised for neonatal critical care and for intensive (non-critical) low-birth weight babies. Two new codes, 99293 and 99294 will be added for children ages 31 days to 24 months of age. Also, the definitions of codes 99295 and 99296 were revised since CPT revised these definitions to make the codes age-specific for critically ill patients thirty days of age or less. A new code, 99299 will be added for intensive care for a recovering very low birth weight baby with weight between 1500-2500 grams. Rule 5101:3-4-06 is also being amended to discontinue code X9380 and modifier VC that are not HIPAA-compliant. Providers are instructed to use standard CPT codes for these services.

Rule 5101:3-4-06.1 entitled "Physician attendance during patient transport" is being rescinded and replaced with a new reorganized rule to specify that the codes 99289 and 99290 should be used only for pediatric patients ages twenty-four months of less. Previously the AMA CPT book did not restrict the codes to pediatric patients in this age grouping. As part of this amendment, the rule has also been reorganized to identify which patient transport policies are applicable to pediatric patients only, which are specific to patients over 24 months of age only, and which are applicable to both pediatric patients and all other patients. The Department is adopting CPT instructions which specify that the critical care codes 99291 and 99292 should be billed for patients over 24 months of age when a physician is in attendance for a patient transport. It should be noted that the policies specific to critical care codes then will be applicable to these patient transport situations. Also the Department is asking providers to bill the modifier "UB" when the critical care code is being used for a patient transport service to distinguish critical care during a patient transport from critical care provided in the hospital.

Rule 5101:3-1-19.3 entitled "Claim submission [except for services proved through medicaid contracting managed care plans (MCPs)]" is being amended to define "CPT" and "HCPCS" when these terms are used in any rule in division 5101:3 of the Administrative Code. "CPT" is defined as the January 2003 edition of the current procedural terminology book for services provided from July 1, 2003 through December 31, 2003.

Rule 5101:3-4-17 entitled "Gastroenterology, otorhinolaryngology, endocrinology, neurology and special dermatology services" is being amended to delete paragraph (B)(1)(k) pertaining to the evaluation of swallowing and oral function for feeding procedure. This procedure is being deleted in the Current Procedural Terminology book. Also, paragraph (B)(4) is being amended to add new

otorhinolaryngologic codes that are considered technical only.

Rule 5101:3-4-25 entitled "Laboratory and radiology services" is being amended to restate paragraph (B)(9) by removing the list of covered codes (which there are many new codes in these ranges that are currently being considered for coverage) and make a general reference statement in paragraph (B)(9)(a) and (B)(9)(b) that coverage for these range of codes (which are for supplies of radiologic procedures and administrative, miscellaneous and investigational procedures) are listed in our reimbursement rule.

A copy of the rule is available for review in each county Department of Job and Family Services and also at <http://www.state.oh.us/odjfs/ols/pubhearings/>.

A copy of the rule is also available without charge at the address listed below. A public hearing on the proposed rule will be held on April 29, 2003 at 9:30 a.m. in room 1823, 30 East Broad St., Columbus, Ohio until all testimony is heard. 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 rule or comments on them 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 43215-0423, by fax at (614) 752-8298, or by e-mail at legal@odjfs.state.oh.us. Written comments may be reviewed at the Department at the address listed above.