

LEGAL NOTICE

STATE OF OHIO
DEPARTMENT OF JOB AND FAMILY SERVICES

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 amend rules 5101:3-4-22 and 5101:3-8-05.

Rule 5101:3-4-22 entitled Surgical Services is being amended due to the Health Insurance Portability & Accountability Act of 1996 (H.I.P.A.A.). Local level code X9070 will no longer be a compliant code per HIPAA. Also, codes A4580 and A4590 will no longer be covered Medicaid services. Codes Q4001 to Q4048 are being added as covered Medicaid services for the reimbursement of casting supplies and will replace these three codes. Also, paragraph A of this rule has been amended to specify that the payment for conscious sedation is bundled into the payment for the related surgical or radiological procedure and is not separately reimbursable. The Department expects no fiscal impact to expenditures by switching from old codes to new codes.

Rule 5101:3-8-05 entitled Covered psychology services and limitations is being amended to include the addition of language about the use of modifier AH (paragraph (B)(4)) and new language about diagnostic interview examinations (paragraph (C)).

Modifier AH is a new modifier that will be compliant with the Health Insurance Portability & Accountability Act (H.I.P.A.A.). All services/procedures provided by licensed psychologists will be required to be billed using the modifier AH to indicate that a psychologist is providing the service.

Code 90801, diagnostic interview examination, is being added to the list of reimbursable services for psychologists. The diagnostic interview examination is often the initial interview of a patient to determine what services the patient needs to receive. Based on input from the psychology community, the Department decided to cover this service. The Department estimates that the addition of this new code may increase expenditures, however, there is no data available to estimate the impact until the code is used.

A copy of the rules are 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 rules are also available without charge at the address listed below. A public hearing on the proposed rules will be held on July 8, 2003 at 9:30 a.m. until all testimony is heard in room 1814, 30 E. Broad Street, Columbus, Ohio. Either written or verbal testimony on the proposed rules 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 rules 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 43266-0423, by fax at (614) 752-8298, or by e-mail at public_records@odjfs.state.oh.us. Written comments may be reviewed at the Department at the address listed above.