

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

DATE: November 17, 2009
TIME: 10:00 a.m.
LOCATION: Room 3110B, Rhodes State Office Tower
30 East Broad Street, Columbus, OH 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 (ODJFS) gives notice of the department's intent to consider the amendment of the rule as identified below and of a public hearing thereon.

Rule 5101:3-4-12, entitled Immunizations, sets forth the specific immunizations that are covered for the Medicaid population. The rule is being proposed for amendment to include the Current Procedural Technology (CPT) code 90663 (Influenza virus vaccine, pandemic formulation) to the list of designated free vaccines so that providers may bill for immunizations against the pandemic influenza virus, H1N1. The Department will reimburse \$10 for the administration of each dose of this vaccine needed for both children and adults. The rule also specifies how Medicaid providers can obtain the pandemic influenza vaccine free of charge from the Ohio Department of Health. It is also being modified for five-year rule review, to update date references and to clarify existing policy.

This rule will have an estimated increase in annual expenditures of \$5.1 million for the period of January 1, 2010 and December 31, 2010. This cost is based on the fee for administering the vaccine and the reimbursement of the lowest level evaluation and management code for those fee for service individuals not living in an institution. This figure does not include the cost of immunizations given at pharmacies, which are billed differently and covered in rule 5101:3-9-13.

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. The 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, 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.