

**PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF MEDICAID**

**DATE:** December 17, 2013  
**TIME:** 10:30 a.m.  
**LOCATION:** Room A401, Lazarus Building  
50 W. Town St., Columbus, OH 43215

Pursuant to section 5165.02 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Medicaid gives notice of the department's intent to consider the adoption, amendment, or rescission of the rule or rules as identified below and of a public hearing thereon.

Proposed for Amendment

Rule 5160-3-42, entitled "Nursing facilities (NFs): chart of accounts" is being proposed for amendment due to five year review, and to implement provisions of Section 5165.01 of the Revised Code adopted under Amended Substitute House Bill 59 of the 130<sup>th</sup> General Assembly relating to the administration of the Medicaid program. This rule sets forth the Medicaid chart of accounts for nursing facilities.

The changes to the rule body are: Language is being changed to refer to the chart of accounts as set forth in Appendix A of this rule, rather than refer to the "recommended" chart of accounts; the Ohio Revised Code citation is being updated from 5111.26 to 5165.10 due to Am. Sub. HB 59 relocating and reorganizing many Revised Code provisions governing the Medicaid program; in paragraph (A)(1), language is being modified to improve readability; in paragraph (A)(3), language is being modified so that providers are required to capture requested information when a chart of accounts has sub-accounts; also in paragraph (A)(3), clarifying language is being added to specify that sub-accounts must be used if there is a corresponding line on the cost report; and in paragraph (A)(4), the term "payor" is being updated to "payer."

The changes to Appendix A of the rule are: On all pages, the revision date in the header is being updated to 12/2013; for Accounts 1030, 1090, and 5730, the acronym "LTCF" is being replaced with "nursing facility"; for Accounts 6322 Oxygen and 7735 Custom Wheelchairs, the phrase "(only through 12/31/13)" is being added because, effective 1/1/14, costs for these items are excluded from direct care costs and ancillary/support costs; account 7291 Qualified Mental Retardation Professional is being removed because it is no longer being used by NF providers; for Account 7631 Resident Transportation, language is being added to note that ambulance and ambulette transportation provided on or after January 1, 2014 can be billed directly to Medicaid by the transportation provider; Account 9720 Non-emergency Oxygen is being added under Table 7 Ancillary/Support Costs, Non-Reimbursable Expenses, along with language noting that costs for non-emergency oxygen are to be reported in this account on or after January 1, 2014; under Table 7 Ancillary/Support Costs, Non-Reimbursable Expenses, language is being added to Account 9725 Other Non-Reimbursable noting that on or after January 1, 2014, costs for wheelchairs are to be reported in this account; for Account 9776, "Ohio Department of Job and Family Services (ODJFS)" is being changed to "Ohio Department of Medicaid"; Ohio Revised Code citations are being updated due to Am. Sub. HB 59 relocating and reorganizing many Revised Code provisions governing the Medicaid program; Ohio Administrative Code references are being updated due to the creation of the

Department of Medicaid by Am. Sub. HB 59 and the subsequent renumbering of rules by the Legislative Services Commission; and grammar, punctuation, capitalization, and phrasing are being corrected throughout as necessary to improve readability.

#### Proposed for Rescission

Rule 5160-3-42.1, entitled "Nursing facility (NF): medicaid cost report" is being proposed for rescission due to five-year review. It is being replaced by new rule 5160-3-42.1. This rule sets forth the Medicaid cost report for nursing facilities.

#### Proposed for Adoption

Rule 5160-3-42.1, entitled "Nursing facility (NF): medicaid cost report" is being proposed for adoption due to five-year review, and to implement provisions of Section 5165.01 of the Revised Code adopted under Amended Substitute House Bill 59 of the 130<sup>th</sup> General Assembly relating to the administration of the Medicaid program. It is replacing rule 5160-3-42.1, which is being proposed for rescission. This rule sets forth the Medicaid cost report for nursing facilities. Differences between this rule and the rule it is replacing are: The phrase "Nursing facility (NF)" in the rule title is being changed to "Nursing facilities (NFs)" to be consistent with the other rules in Chapter 5160-3 of the Ohio Administrative Code; the acronym OAC is being deleted because it is not necessary; language is being added to this rule that requires providers to use software available on the Ohio Department of Medicaid's website; language referring to Appendix A of this rule is being deleted because Appendix A of this rule is being removed from the Ohio Administrative Code, and instead will be available on the Department of Medicaid's website; and Ohio Administrative Code citations are being updated due to the creation of the Department of Medicaid by Am. Sub. HB 59 and the subsequent renumbering of Chapter 5101:3-3 rules by the Legislative Services Commission.

A copy of the proposed rule(s) is available, without charge, to any person affected by the rule(s) at the address listed below. The rule(s) is also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed 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 Medicaid, Office of Legal Counsel, 50 W. Town Street, 4th Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at [Rules@Medicaid.Ohio.gov](mailto:Rules@Medicaid.Ohio.gov).