

**PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF MEDICAID**

**DATE:** September 15, 2014  
**TIME:** 10:30 AM  
**LOCATION:** Lazarus Building, 50 West Town St., Room B401  
Columbus, Ohio 43215

Pursuant to Chapter 119. and section 5164.02 of the Revised Code, the director of the Ohio Department of Medicaid (ODM) gives notice of the Department's intent to amend, and rescind and file as new the rules identified below and of a public hearing thereon.

**Rule 5160-3-15**, entitled Preadmission screening and resident review (PASRR) definitions, is being amended in order to modify the hospital exemption policy. Amended Substitute H.B. No. 59, which took effect September 29, 2013, created restrictions on the utilization of the hospital exemption for individuals who are being directly admitted to a nursing facility from a hospital that is either of the following:

1. A hospital that the Ohio Department of Mental Health and Addiction Services (OhioMHAS) maintains, operates, manages, and governs under section 5119.14 of the Revised Code for the care and treatment of mentally ill persons; or
2. A free-standing hospital, or unit of a hospital, licensed by OhioMHAS under section 5119.33 of the Revised Code.

The following individuals seeking a nursing facility admission will be subject to a preadmission screening and will no longer be permitted a hospital exemption from the preadmission screening process:

- Individuals who are being discharged from a hospital or unit as described above; or
- Individuals who are being discharged from out-of-state psychiatric hospital or psychiatric unit within an out-of-state hospital.

Other changes to rule 5160-3-15 include:

- Changed state agency name references, form numbers and rule number references;
- References to the DSM-IV have been updated to reflect the most current version, DSM-5;
- Added to the list of professionals who may conduct a face-to-face assessment;
- Modified the definition of "significant change of condition;" and
- Added a date after which hospitals will be required to submit a hospital exemption request electronically through the system approved by ODM.

**Rule 5160-3-15.1**, entitled, Preadmission screening requirements for individuals seeking admission to nursing facilities is being rescinded and adopted as new to reflect the statutory changes to the hospital exemption policy in accordance with section 5119.40 of the Revised Code.

Other changes to rule 5160-3-15.1 include:

- Changed state agency name references, form numbers and rule number references; and
- Added a date after which hospitals will be required to submit a hospital exemption request electronically through the system approved by ODM.

A copy of each of the proposed rules is available at the address listed below and without charge, to any person affected by the rules and at the county department of job and family services. The proposed rules are also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rules 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 rules or comments on the rules should be submitted by mail to the Ohio Department of Medicaid, Office of Legal Counsel, 50 West Town Street, 4<sup>th</sup> Floor, Columbus, Ohio 43218, by fax at (614) 752-3986, or by e-mail at [rules@medicaid.ohio.gov](mailto:rules@medicaid.ohio.gov). Comments received may be reviewed upon request.