

FEDERAL MEDICAID NOTICE AND PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID

DATE: May 15, 2015
TIME: 12:00 p.m.
LOCATION: Room A501, Lazarus Government Center
50 West Town Street, Columbus, OH 43215

Pursuant to section 5164.02 and Chapter 119. of the Ohio Revised Code and 42 CFR 447.205, the director of the Ohio Department of Medicaid gives notice of the Department's intent to consider the amendment, rescission, or adoption of the rules identified below and to hold a public hearing on these rules. The public hearing will be held at the date, time, and location listed at the top of this notice. Both written and oral testimony will be accepted at the public hearing, and written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Current rule 5160-4-22, "Surgical services," sets forth provisions for coverage of and payment for surgical services performed in non-hospital settings. This rule is being proposed for rescission, along with its appendix.

New rule 5160-4-22, "Surgical services," sets forth provisions for coverage of and payment for surgical services performed in non-hospital settings. This rule is being proposed for adoption to replace current rule 5160-4-22.

Changes: Four main differences may be noted in the new rule:

- The text is condensed and streamlined.
- The appendix to the current rule, which is rescinded, addresses four groups of surgical procedures whose characteristics may affect how they are reported on a claim and how payment for them is made: (1) multiple procedures, for which payment is reduced when more than one is performed; (2) bilateral procedures, for which payment is adjusted when they are performed on both body parts of a corresponding pair; (3) assistant-at-surgery procedures, for which payment is reduced when they are performed by an assistant at surgery; and (4) procedures performed on fingers, toes, eyelids, or coronary arteries. In place of the appendix, a provision is added in the body of the new rule stating that the department follows Medicare policies concerning these procedures.
- A restriction is removed that disallowed payment for an assistant-at-surgery procedure performed by someone other than a physician.
- A statement is added that payment for the surgical treatment of obesity, a service that was previously non-covered, now requires prior authorization.

The replacement of the rule is expected to have no effect on annual aggregate Medicaid expenditures.

Any person affected by these rules may examine them and obtain a copy, without charge, at the following locations:

Ohio Department of Medicaid, 50 West Town Street, Fourth Floor, Columbus, Ohio 43215;

Any county department of job and family services; or

On the internet at <http://www.registerofohio.state.oh.us/>.

Testimony on the proposed rules may also be reviewed at the Ohio Department of Medicaid, 50 West Town Street, Fourth Floor, Columbus, Ohio 43215.

Requests for a copy of the proposed rules or a copy of testimony on the rules should be submitted in any of the following ways:

By mail to the Rule Administrator, Office of Chief Legal Counsel, Ohio Department of Medicaid, 50 West Town Street, Fourth Floor, Columbus, OH 43215;

By fax to (614) 752-3986; or

By e-mail to rules@medicaid.ohio.gov.