

**FEDERAL MEDICAID NOTICE AND PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID**

DATE: August 17, 2015
TIME: 11:00 AM
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.

Changes are being made in two administrative rules governing vaccines, drugs, and other substances that are administered by practitioners through injection or infusion.

Rule 5160-4-12, "Immunizations, injections and infusions (including trigger-point injections), and provider-administered pharmaceuticals," sets forth general provisions for coverage of and payment for injections and pharmaceuticals administered as physician services. This rule is being proposed for rescission.

Rule 5160-4-12, "Immunizations, injections and infusions (including trigger-point injections), and provider-administered pharmaceuticals," sets forth general provisions for coverage of and payment for injections and pharmaceuticals administered as physician services. This rule is being proposed for adoption to replace current rule 5160-4-12.

Changes: Words based on *reimburse* (such as *reimbursement*) are replaced by forms of *pay* and *payment*; other unsatisfactory phrases, incorrect or missing references, and unnecessary statements are also cleaned up. Medicaid rule numbers are modified to comport with the new agency designation in the Ohio Administrative Code. For administration, payment may now be made either for the most appropriate administration procedure or for the least complex evaluation and management service rendered to an established patient. Coverage is established for the nine-valent human papilloma virus (HPV) vaccine. A provision concerning the coverage of immune globulin is condensed and streamlined. The current static maximum payment amount for medroxyprogesterone acetate (MPA) is removed. Payment for MPA will instead be determined by the method set forth in paragraph (E) of the rule, to which maximum allowable cost (MAC) is added as a reference source.

Rule 5160-4-13, "Relocated provisions concerning injections and provider-administered pharmaceuticals," is a placeholder that simply cites rule 5160-4-12; it serves to ensure that existing references to rule 5160-4-13 remain functional until they can be updated. This rule is being proposed for amendment.

Changes: The word *reimbursement* is replaced by *payment*. A referenced Medicaid rule number is modified to comport with the new agency designation in the Ohio Administrative Code.

The change in how the maximum payment amount for medroxyprogesterone acetate is calculated and the initiation of coverage of the new 9-valent HPV vaccine may result in an annual increase in expenditures of approximately \$1 million.

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.