

**PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF MEDICAID**

DATE: November 7, 2016  
TIME: 11:00 a.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, 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.

Rules concerning the coverage of and payment for advanced practice registered nurse (APRN) services are set forth in seven existing rules located in Chapter 5160-8 of the Ohio Administrative Code. Relevant provisions of two of these seven rules are combined into a single new rule located in Chapter 5160-4 of the Ohio Administrative Code. The remaining five rules are rescinded.

New rule 5160-4-04, "Advanced practice registered nurse (APRN) services," sets forth coverage and payment policies for services provided by an APRN, a term that encompasses a certified registered nurse anesthetist (CRNA), clinical nurse specialist (CNS), certified nurse-midwife (CNM), and certified nurse practitioner (CNP). This rule replaces rules 5160-8-22 and 5160-8-23.

Rule 5160-8-20, "Advanced practice nurses," sets forth definitions of various types of ambulatory health care clinics and advanced practice nurses. This rule is rescinded.

Rule 5160-8-21, "Advanced practice nurses; eligible Ohio medicaid providers," sets forth the provision that certified nurse practitioners, clinical nurse specialists, and certified nurse midwives can enroll independently as independent providers (and therefore can submit claims to Medicaid directly) or enroll as a professional medical group. This rule is rescinded.

Rule 5160-8-22, "Advanced practice nurses: practice arrangements and reimbursement," identifies various practice and employment arrangements and payment provisions applicable to APRNs under the Medicaid program. This rule is rescinded; some of its provisions are incorporated into new rule 5160-4-04.

Rule 5160-8-23, "Advanced practice nurses: coverage and limitations," identifies the scope of coverage for APRNs in the Medicaid program. This rule is rescinded; some of its provisions are incorporated into new rule 5160-4-04.

Rule 5160-8-24, "Eligible providers of certified registered nurse anesthetist (CRNA) services," sets forth the provision that CRNAs can enroll independently and submit claims directly to Medicaid or can enroll as a member of a professional medical group. This rule is rescinded.

Rule 5160-8-25, "Coverage, limitations, and reimbursement of anesthesia services provided by certified registered nurse anesthetists (CRNAs)," identifies various practice arrangements and sets forth coverage, payment, and claim-submission provisions for CRNAs. This rule is rescinded.

Rule 5160-8-27, "Advanced practice nurses: modifiers," delineates the two-character procedure code modifiers used in claims to denote the type of APRN who provided the service. This rule is rescinded.

The text of the new rule looks considerably different.

- The term advanced practice nurse (APN) is updated to advanced practice registered nurse (APRN).
- Unnecessary references, duplicative provisions, and references to obsolete rules are removed.
- Lengthy specifications of requirements and criteria for APRNs are replaced by a reference to another chapter of the Ohio Administrative Code pertaining to the Ohio Board of Nursing and by a statement that payment for an APRN service may be made only if the service is within the scope of practice of the particular APRN who provided it.
- A provision is removed that required documentation beyond a countersignature alone for direct services rendered to individual hospital patients by APRNs employed by or under contract with the hospital.
- Claim-submission instructions are removed. This information is available in formats other than administrative rule.

Despite the transformed appearance of the new rule, there are only two substantive policy changes.

- Coverage is simplified. Unless a specific exception is noted, all other Medicaid rules that pertain to services performed by a physician now will apply also to APRNs.
- The list of non-covered services is removed. Instead, a set of conditions is given under which payment for a covered APRN service may be made.

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, Suite 400, Columbus, OH 43215;  
Any county department of job and family services; or  
On the internet at <http://www.registerofohio.state.oh.us>.

Requests for a copy of the proposed rules, as well as testimony on the rules, may 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, Suite 400, Columbus, OH 43215;  
By fax to (614) 995-1301; or  
By e-mail to [rules@medicaid.ohio.gov](mailto:rules@medicaid.ohio.gov).

Testimony on the proposed rules may also be reviewed at the Ohio Department of Medicaid, 50 West Town Street, Suite 400, Columbus, Ohio 43215.