

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID

DATE: November 7, 2016
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, the director of the Ohio Department of Medicaid gives notice of the Department's intent to consider the rescission and adoption of the rules identified below and to hold a public hearing on these rules.

Rule 5160-1-60, "Medicaid Payment," sets forth payment policies for services furnished by many professional, non-institutional providers. The rule is being proposed for amendment to remove the list of Ambulatory Surgery Center (ASC) rates from the body of the rule since these rates are incorporated in a reference table located in the rule appendix, where ASC payment amounts are specified. ODM is rescinding Ohio Administrative Code rule 5160-4-02.2, "Site differential payments and place of service," and any necessary provisions of that rule are being incorporated into the body of this rule. The appendix to this rule has been amended to incorporate the following changes:

The maximum payment amounts for certain surgical and radiological procedures are being reduced to the Medicare physician payment rate so they do not exceed the corresponding maximum Medicare allowed amounts. Implementation of this change in payment rates is expected to decrease annual aggregate expenditures by approximately \$6 thousand. The savings will be reallocated to help fund the increase in payment amount for an interactive complexity procedure performed with a psychiatric service.

The Medicaid allowed amount for an interactive complexity procedure performed with a psychiatric service is being increased to 80 percent of the Medicare allowed amount. The reason for this change is Medicare later corrected their payment amount for this procedure. Implementation of this change in payment rates is expected to increase the net annual aggregate expenditures for psychiatric services by approximately \$71 thousand.

Rule 5160-1-61, "Non-covered Services," sets forth a categorical list of services for which Medicaid makes no payment. This rule is being proposed for amendment to remove acupuncture from the list of services that are not covered by the Medicaid program. The Department will be covering acupuncture services for the first time, and has set a rate for acupuncture services. ODM set the initial acupuncture service rates by basing these rates off of the osteopathic manipulation Medicaid rates. Implementation of this change in coverage is expected to increase annual aggregate expenditures by \$1 million dollars.

Rule 5160-4-02.2 "Site differential payments and place of service," defines the concepts of site differential, facility fee, and non-facility fee, and it instructs providers on the use of place-of-service codes. This rule is being proposed for rescission. Relevant provisions of this rule are being incorporated into rule 5160-1-60 of the Administrative Code.

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

Ohio Department of Medicaid, Office of Legal Counsel, 50 West Town Street, Suite 400,
Columbus, Ohio 43215;

Any county department of job and family services; or

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. 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.

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

By fax to (614) 995-1301; or

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