

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID**

DATE: April 7, 2017
TIME: 11:00 a.m.
LOCATION: Room B538, 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.

Rules are currently set forth in Chapter 5160-13 of the Ohio Administrative Code (OAC) concerning the delivery of services in ambulatory health care clinics, which include primary care clinics, public health department clinics, outpatient rehabilitation clinics, family planning clinics, professional optometry school clinics, professional dental school clinics, speech-language-audiology clinics and diagnostic imaging clinics, and end-stage renal disease (ESRD) dialysis clinics.

As a result of five-year review, the rules in Chapter 5160-13 are rescinded. Provisions concerning most of the ambulatory health care clinics are consolidated into a single new rule, numbered 5160-13-01, the text of which has been reorganized, streamlined, and clarified. ESRD dialysis clinics are addressed separately in new rule 5160-13-02.

Changes to the rules include the following:

- An outdated and overarching Medicare enrollment requirement is removed for primary care clinics, public health department clinics, family planning clinics, professional optometry school clinics, professional dental school clinics, and speech-language-audiology clinics.
- All references to diagnostic imaging clinics have been deleted because no diagnostic imaging clinic exists in Ohio, and the relevant services are addressed in the independent diagnostic testing facility (IDTF) section of Chapter 5160-11 of the Ohio Administrative Code.
- In existing rule 5160-13-01.9, payment amounts for services delivered at ESRD dialysis clinics are currently based on the 2003 Medicare prospective payment system rates. It is being proposed that payment amounts instead be a percentage of the corresponding 2016 Medicare allowed amounts for dialysis services. The resulting slight increases in payment are negligible.
- References to the Medicaid agency number (5160) and to OAC rules are updated.

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.

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

Ohio Department of Medicaid, Rules Administrator, Office of Chief Legal Counsel,
50 West Town Street, Suite 400, Columbus, Ohio; 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, Suite 400, Columbus, Ohio.

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.