

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID**

DATE: August 28, 2017
TIME: 11:00 a.m.
LOCATION: Room A501, Lazarus Building
50 W. Town St., Columbus, OH 43215

Pursuant to section 5165.02 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 adoption, amendment, or rescission of the rule or rules as identified below and of a public hearing thereon.

Proposed for Amendment

Rule 5160-3-16.5, entitled "Nursing facilities (NFs): personal needs allowance (PNA) accounts and other resident funds" sets forth the provisions for the management and use of nursing facility personal needs allowance accounts and other resident funds. This rule was reviewed pursuant to a five-year rule review. As a result of that review, this rule is being proposed for amendment. The changes to the rule are:

- In the opening paragraph, the date of a Code of Federal Regulations citation is being updated in order to comply with Joint Committee on Agency Rule Review (JCARR) rule filing requirements.
- References to several Division 1 rules are being deleted because these rules have been rescinded. In one such instance, in paragraph (F)(1)(a), the reference to the rescinded Division 1 rules is being replaced with references to the supplemental security income resource limits specified in the Social Security Act.
- In new paragraph (A)(1), the acronym PNA is being spelled out for purposes of clarity.
- In paragraph (H)(3)(b), a correction is being made to the name to which checks or money orders are to be made payable when PNA funds are transferred to ODM.
- Also in paragraph (H)(3)(b), the revision date of the ODM 09405 form is being updated, and the name of the form is being corrected.
- In paragraph (I)(3), language is being added so that a NF provider that operates multiple facilities only must submit copies of the multi-facility surety bond or reasonable alternative to ODM for review and approval upon request.
- In paragraph (M)(2), language is being added to clarify that the items that may be charged to a resident's PNA account include a cellular phone, and personal computer or other electronic device.
- In paragraph (N), language is being changed so that the CDJFS must monitor PNA accounts at least annually instead of at least once a quarter.
- Paragraph references are being updated as necessary.
- Grammatical changes are being made to improve readability.

A copy of the proposed rule is available, without charge, to any person at the address listed below. The rule is also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rule will be held at the date, time, and location listed at the top of this notice. Written and oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rule or comments on the rule should be submitted by mail to the Ohio Department of Medicaid, Office of Legal Counsel, 50 W. Town Street, Suite 400, Columbus, Ohio 43215-3414, by fax at (614) 995-1301, or by e-mail at Rules@Medicaid.Ohio.gov. Testimony received may be reviewed at this address.