

**PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF MEDICAID**

DATE: September 15, 2017  
TIME: 10:00 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 (ODM) gives notice of ODM's intent to consider the amendment, rescission, or adoption of the rules identified below and to hold a public hearing on these rules.

Coverage and payment policies for Medicaid services provided under the Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) benefit — known in Ohio as "Healthchek" — are currently set forth in six rules located in Chapter 5160-14 of the Ohio Administrative Code:

Rule 5160-14-01, "Healthchek: early and periodic screening, diagnostic and treatment (EPSDT) mandatory services for medicaid recipients under twenty-one years of age," defines terms, sets forth coverage provisions for screening services, and addresses scope of coverage.

Rule 5160-14-02, "Healthchek: eligible providers of early and periodic screening, diagnosis, and treatment (EPSDT) services," lists eligible providers of EPSDT services.

Rule 5160-14-03, "Healthchek: early and periodic screening, diagnosis, and treatment (EPSDT) screening visits," lists the components of an EPSDT screening visit and requires providers to make appropriate referrals.

Rule 5160-14-04, "Healthchek: reimbursement of early and periodic screening, diagnosis, and treatment (EPSDT) services," gives instructions for claim submission and specifies that payment may be made for certain additional services provided during or as part of an EPSDT screening visit.

Rule 5160-14-05, "Healthchek: covered diagnostic and treatment services under early and periodic screening, diagnosis, and treatment (EPSDT)," lists types of diagnostic and treatment services covered under EPSDT.

Rule 5160-14-09, "Healthchek: environmental investigation for elevated blood levels under early and periodic screening, diagnosis, and treatment (EPSDT) services environmental investigation," sets forth coverage and payment provisions for environmental assessments.

As a result of five-year rule review, these six rules are being proposed for rescission and their provisions, which are summarized above, streamlined and consolidated into a new rule numbered 5160-1-14. Provisions in the existing rules are being moved to a new rule in Chapter 5160-1 because they apply to the entire range of Medicaid services. On the whole, the intent of the new rule will remain the same as the existing rules, but a few differences should be noted:

1. **Definitions:** Some definitions are being omitted in the new rule because they are already defined in the Ohio Administrative Code chapter where the proposed rule will reside. A definition of the "Bright futures guidelines" is being added to the new rule for clarity.

2. **Providers:** Existing rule 5160-14-02 lists eligible providers. This rule is being consolidated into one paragraph of the new rule to avoid narrowing the definition of who is eligible to provide EPSDT services.
3. **Screening Visits:** Existing rule 5160-14-03 describes the components of a screening visit. To be consistent with federal regulations, the language in this rule is being replaced in the new rule with the language used in the Social Security Act and State Medicaid Manual. The intent remains the same.
4. **Claim Submission Instructions:** Claim submission instructions listed in existing rule 5160-14-04 are being removed entirely. Instead, claim submission guidance will be posted on ODM's website with other provider billing instructions.
5. **Coverage:** An unnecessary restriction on the coverage of habilitation services in rule 5160-14-05 is being removed from the new rule.

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 may examine the rules and obtain a copy, without charge, at the following locations:  
Ohio Department of Medicaid, 50 West Town Street, Suite 400, Columbus, Ohio 43215; 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 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](mailto:rules@medicaid.ohio.gov).