

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID**

DATE: November 17, 2017
TIME: 11:00am
LOCATION: Lobby Hearing Room, Rhodes State Office Tower
30 East Broad Street, Columbus, Ohio 43215

Pursuant to Chapter 119 and section 5167.02 of the Revised Code, the director of the Ohio Department of Medicaid (ODM) gives notice of the Department's intent to amend, or rescind and file as new of the rules identified below and of a public hearing thereon.

Rule 5160-26-08.4, entitled Managed health care programs: managed care plan appeal and grievance system, is being proposed for rescission and will be made new to update policy related to the administration of Medicaid managed care program. This rule sets forth the Medicaid managed care plan (MCP) appeal and grievance rights. Several changes to this rule are being made to align state policy with new federal regulations in the Code of Federal Regulations (CFR). Definitions are being updated to reflect language changes in the CFR. Ohio Administrative Code (OAC) and CFR references are also being updated. General updates are being made to terminology, grammar and formatting. Other changes to this rule are being made to comply with federal requirements in 42 CFR 438.400 – 438.424 related to the MCP appeals and grievance process including: timelines for a member to request an appeal or grievance, MCP appeal or grievance resolution timeframes, and the process for a member to request and be granted a state hearing.

Rule 5160-58-08.4, entitled Appeals and grievances for “MyCare Ohio”, is being proposed for rescission and will be made new to update policy related to the administration of the Medicaid managed care program. This rule sets forth MyCare Ohio plan (MCOP) appeal and grievance rights. Several changes to this rule are being made to align state policy with new federal regulations in the Code of Federal Regulations (CFR). Definitions are being updated to reflect language changes in the CFR. Ohio Administrative Code (OAC) and CFR references are also being updated. General updates are being made to terminology, grammar and formatting. Other changes to this rule are being made to comply with federal requirements in 42 CFR 438.400 – 438.424 related to the MCOP appeals and grievance process including: timelines for a member to request an appeal or grievance, MCOP appeal or grievance resolution timeframes, and the process for a member to request and be granted a state hearing.

Rule 5160-20-01, entitled Coordinated Services Program, sets forth the requirements for the program which requires a Medicaid beneficiary to obtain services from a designated provider. CSP is intended for Medicaid recipients who are found to have obtained prescription drugs or medical services under the Medicaid program at a frequency or amount that is not medically necessary. This rule is being amended to include references to specific notices (ODM forms) that are being removed from OAC rules 5160-26-08.4 and 5160-58-08.4. No other changes are being made to this rule.

A copy of each of the proposed rules is available at the address listed below and without charge, to any person affected by the rules and at the county department of job and family services. The proposed rules are also available 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. Written and/or 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 rules or comments on the rules should be submitted by mail to the Ohio Department of Medicaid, Office of Legal Counsel, 50 West Town Street, 4th Floor, Columbus, Ohio 43218, by fax at (614) 995-1301, or by e-mail at rules@medicaid.ohio.gov. Comments received may be reviewed upon request.