

**PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF MEDICAID**

DATE: May 14, 2018  
TIME: 11:00 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 (Department) 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 5160-4-02.1, "'By-report' services," sets forth policies concerning services for which coverage and payment are determined on a case-by-case basis. This rule is being proposed for rescission and relocation to Chapter 5160-1 of the Ohio Administrative Code because the policy applies to a broader range of procedures, services, and supplies than are addressed in Chapter 5160-4. The existing rule is being replaced by new rule 5160-1-60.4.

Rule 5160-1-60.4, "By-report procedures, services, and supplies," is being proposed for adoption to replace rule 5160-4-02.1. The rule sets forth policies concerning services for which coverage and payment are determined on a case-by-case basis. It reorganizes and clarifies the provisions from rule 5160-4-02.1 for improved readability and ease of understanding. Like rule 5160-4-02.1, it requires the submission of documentation along with a claim for by-report procedures, services, and supplies. Unlike rule 5160-4-02.1, it does not specify exactly which documents are to be submitted; instead, because a variety of supporting documents may be acceptable, it includes a non-exhaustive list of examples (e.g., operative reports, clinical assessments, or other medical records).

A public hearing will be held on the rules 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 these rules and obtain a copy of them, without charge, at the following locations:

Ohio Department of Medicaid, 50 West Town Street, Suite 400, Columbus, OH 43215; or  
On the internet at <http://www.registerofohio.state.oh.us> through a search for Ohio Administrative Code rule 5160-4-02.1 or 5160-1-60.4.

Requests for a copy of the proposed rules, as well as testimony on the rules, may 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).

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