

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID**

DATE: October 29, 2018

TIME: 11:00 AM

LOCATION: Ohio Department of Medicaid, Lazarus Building, 50 West Town Street, Room A501, 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 file as new the rules identified below and of a public hearing thereon.

Rule 5160-58-02.2, entitled "MyCare Ohio waiver: eligibility and enrollment," sets forth the eligibility and enrollment criteria for the MyCare Ohio home and community-based services waiver. This rule is being proposed for amendment to update policy related to the MyCare Ohio waiver program and in compliance with five-year rule review. Changes to the rule include: in paragraph (A)(5), updated the requirement that an individual reside in a home and community-based setting as described in OAC Chapter 5160-44 and updated rule reference for Assisted Living to OAC Chapter 173-39-02.16; removed paragraph (A)(6) as it was incorporated into paragraph (A)(5); in paragraph (A)(8) [to be recodified as (A)(7)], updated the language from "waiver service plan" to "person-centered service plan" in accordance with OAC Chapter 5160-44. Other grammatical/technical edits were made throughout.

Rule 5160-58-03.2, entitled "MyCare Ohio waiver: member choice, control, responsibilities and participant direction," sets forth the MyCare Ohio member's choice, control, responsibilities and participant direction when enrolled on a MyCare Ohio HCBS waiver. This rule is being proposed for amendment to update policy related to the MyCare Ohio waiver program and in compliance with five-year rule review. Changes to the rule include: the title has been updated to align with other rule titles in the same chapter; in paragraph (B)(1), updated the language from "waiver service plan" to "person-centered service plan" in accordance with OAC Chapter 5160-44; added a reference to new incident reporting rule 5160-44-05 which will be implemented early 2019, at which time, ODM will be rescinding OAC rule 5160-58-05.3. Additionally, paragraph (D) was removed as it outlines MyCare Ohio plan responsibilities which are thoroughly defined in the MyCare Ohio plan provider agreement and three-way contract with the plan, ODM and CMS. Other grammatical/technical edits were made throughout.

Rule 5160-58-04, entitled "MyCare Ohio waiver: covered services and providers," sets forth the MyCare Ohio HCBS waiver covered services and providers of services. This rule is being proposed for amendment to update policy related to the MyCare Ohio waiver program and in compliance with five-year rule review. Changes to the rule include: the title has been updated to align with other rule titles in the same chapter; in paragraph (B) added a reference to the member's person-centered services plan; changed OAC references for six waiver service rules to new rules in Chapter 5160-44 which will also be implemented January 1, 2019. This change is in coordination with the waiver rule alignment initiative. Other grammatical/technical edits were made throughout.

The proposed rules are 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. Either written 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.