

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID**

DATE: November 16, 2018

TIME: 10:00 a.m.

**LOCATION: Rhodes State Office Tower, 30 East Broad Street, Columbus, Ohio
43215 Multi-Purpose Room.**

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 5160-31-02, entitled PASSPORT HCBS waiver program definitions is being proposed for rescission because more than 50% of the text was replaced. It will be replaced with a new rule of the same title. The changes include:

- Amended the definition of “Activities of Daily Living (ADL)” (paragraph B), “authorized representative (paragraph D), “Case Management” (paragraph H), “Instrumental Activities of Daily Living (IADL)” (paragraph P), and “Level of Care” (paragraph Q), “PASSPORT” (paragraph V) “Region” (paragraph X), “Subregion” (paragraph Y)
- Added definitions for “Case Manager” (paragraph G), “Centers for Medicare and Medicaid” (paragraph I), “Financial Management Service (paragraph K) “ODA’s designee” (paragraph S), “ODM’s administrative agency” (paragraph T) “Participant-directed individual provider (paragraph U), “Person-centered services plan (paragraph W),
- Deleted “CDJFS” (paragraph E), , “Keys amendment facility” (paragraph Q), “ODM” (paragraph U), “PAA” (paragraph V)
- Other grammatical and technical edits were made throughout.

Rule 5160-31-03, entitled *Eligibility for enrollment in the PASSPORT HCBS waiver program* is being amended to:

- Allow for continued enrollment when the waiver service plan exceeds the individual cost limit (paragraph A2);
- Amend the description of prohibited residential settings to be consistent with OAC 5160-46-02 (paragraph A9) and
- Make other grammatical and technical edits throughout.

Rule 5160-31-04, entitled *Enrollment process for the pre-admission screening system providing options and resources today (PASSPORT) HCBS waiver program* is being proposed for rescission because more than 50% of the text was replaced. It will be replaced with a new rule of the same title. The changes include:

- Replaced “PAA” with “ODA’s designee” (paragraphs B and D)
- Removed outdated process descriptions (paragraphs B and D)
- Other grammatical and technical edits were made throughout.

Rule 5160-31-05, entitled *PASSPORT HCBS waiver program covered services*, is being amended to:

- Rename “emergency response system services” to “Personal emergency response system (paragraph B18)
- Rename “transportation: to “Non-emergency medical transportation (B13)
- Remove service limitations that are addressed in other OAC rules (paragraph E)
- Other grammatical and technical edits were made throughout.

Rule 5160-31-06, entitled *Provider conditions of participation for the PASSPORT HCBS waiver program* is being amended to:

- Removed the reference to ODA’s designee. (paragraph B)

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.