

**PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF MEDICAID**

**DATE:** October 15, 2019  
**TIME:** 10:30 AM  
**LOCATION:** Room A401, Lazarus Building, 50 W. Town Street, Columbus, Ohio 43215

Pursuant to section 5164.02 of the Ohio Revised Code, the Director of the Ohio Department of Medicaid (ODM) gives notice of the Department's intent to consider the amendment of the following Ohio Administrative Code rules on a permanent basis and of a public hearing thereon.

Rule 5160-8-05 entitled "Behavioral health services-other licensed professionals" sets forth general Medicaid policy regarding the provision of behavioral health services by specified providers. The rule states related definitions, provider requirements, and services the providers may render. Reimbursement policy is stated as well as provider billing limitations and service provision documentation requirements. The proposed revisions include an updated policy related to behavioral health services performed in an inpatient or outpatient hospital setting and clarify reimbursement provisions.

Rule 5160-27-01 entitled "Eligible provider for behavioral health services" sets forth the requirements for behavioral health services provided by community mental health and substance use disorder treatment providers. The proposed revision provides for a registered nurse to perform a nursing regimen, in accordance with Section 4723.01 of the Ohio Revised Code, without an order from a medical practitioner.

Rule 5160-27-03 entitled "Reimbursement for community behavioral health services" sets forth the general reimbursement policy for behavioral health services provided by community mental health and substance use disorder treatment providers. The proposed revisions increase the reimbursement rate to one hundred per cent of the Medicaid maximum for evaluation and management and psychiatric diagnostic evaluation services when rendered by Certified Nurse Practitioners, Certified Nurse Specialists, or Physician Assistants. It also increases the reimbursement rate for crisis services for mental health (MH) and substance use disorders (SUD) as well as for group psychotherapy and group therapeutic behavioral services (TBS) for MH and group counseling for SUD. Smoking cessation counseling as well as place of service codes are being added. New language states the third party payment policy for behavioral health providers. Finally, another proposed revision removes existing language regarding health homes as the service is no longer in effect.

Rule 5160-27-04 entitled "Mental health assertive community treatment service" states activities that constitute the service as well as eligibility requirements to receive the service. Provider requirements are stated as well as provider billing policy and prior authorization requirements.

New language refines the face-to-face requirement for provider and Medicaid recipient interactions and additional new language clarifies who may serve on a treatment team for the service as well as who is eligible to receive the service.

Rule 5160-27-08 entitled “Mental health therapeutic behavioral services and psychosocial rehabilitation” states activities that constitute both of these services. Limitations on the provision of both services are stated as well as service provision documentation requirements. The proposed revision permits licensed mental health practitioners to render the therapeutic behavioral service. An additional revision clarifies the appropriate use of psychosocial rehabilitation.

These rules are being amended in order to increase access to behavioral health services and stabilize the behavioral health system.

A public hearing on the proposed rules will be held at the date, time and location listed at the top of this notice. Both written and oral testimony will be taken at the public hearing. Written testimony submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Any person affected by these rules may examine them and obtain a copy, without charge, at the following locations:

Ohio Department of Medicaid, 50 West Town Street, Fourth Floor, Columbus, Ohio 43215;

Any county department of job and family services; 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, Fourth Floor, Columbus, Ohio 43215.

Requests for a copy of the proposed rule or a copy of testimony on the rule should be submitted by mail to the Rule Administrator, Office of Chief Legal Counsel, Ohio Department of Medicaid, 50 W. Town St, Suite 400, Columbus, Ohio 43215-3414, by fax at (614) 995-1301, or by e-mail at [Rules@Medicaid.Ohio.gov](mailto:Rules@Medicaid.Ohio.gov).