

**PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF MEDICAID**

**DATE:** July 13, 2020

**TIME:** 11:00 a.m.

**TELECONFERENCE PHONE NUMBER:** 1-614-721-2972

**TELECONFERENCE PIN:** 888543411#

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 adopt, amend, or rescind the rule as identified below and of a public hearing thereon.

Rule 5160-22-01, entitled Ambulatory surgery center (ASC) services: provider eligibility, coverage, and reimbursement, is being proposed for amendment. Rule 5160-22-01 sets forth provider eligibility, coverage, and reimbursement methodology for ASCs, subject to the Enhanced Ambulatory Patient Grouping (EAPG) system prospective payment methodology. The proposed amendments to this rule are intended to align with the continued reform and modernization of the outpatient reimbursement methodology. In order to facilitate the move to EAPG version 3.14 from version 3.9, the Department will recalibrate relative weights used to calculate ASC reimbursement. The amendments also update the methodology used to determine ASC base rates, which include adjusting payments to ASCs that focus on eye procedures in order to prevent an un-intended cut in Medicaid payments to these ASCs. In order to provide clarification, minor grammatical updates were also made to the rule.

The following changes are proposed for the ASC EAPG payment formula: the EAPG base rate for ASCs is updated to ninety per cent of the statewide average outpatient hospital EAPG base rate; EAPGs 00134 and 00149 will no longer receive an enhanced payment; EAPG 00233's payment is multiplied by one hundred forty five per cent; and, EAPG 00485's payment is multiplied by two hundred thirty three percent.

Pursuant to Section twelve of Am. Sub. H.B. No. 197, the department will hold the public hearing for this rule package via teleconference. The phone number and pin and the date and time for this hearing are listed at the top of this Notice.

All interested parties are invited to participate in the public hearing. Oral and written testimony will be accepted for this hearing and will be given the same consideration. Those who want to give oral testimony are asked to send an email to [Rules@Medicaid.Ohio.gov](mailto:Rules@Medicaid.Ohio.gov) no later than one hour before the hearing to be added to the witness list. There will be a final call at the end of the hearing for those who wish to offer oral testimony but are not yet on the witness list.

Written comments submitted via fax, United States Postal Service, and email that are received or postmarked no later than the day of the hearing will be accepted as testimony and become part of the hearing record. All testimony will become public record; therefore, the department asks that protected health information only be included if the information

belongs to the person submitting the testimony or a person for which the submitter is a legal guardian. Written testimony sent via email is highly recommended. All testimony received via email will receive a confirmation of receipt.

A copy of the proposed rule is available, without charge, to any person at the address listed below. The rule is also available on the internet at <http://www.registerofohio.state.oh.us/>.

Requests for a copy of the proposed rule or comments on the rule should be submitted by mail to the Ohio Department of Medicaid Rule Administrator, Office of Chief Legal Counsel, 50 W. Town Street, 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).