

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID**

DATE: February 16, 2021

TIME: 11 am

TELECONFERENCE PHONE NUMBER: 1-614-721-2972

TELECONFERENCE PIN: 908901837#

Pursuant to Chapter 119. and section 5164.02 of the Revised Code, the Director of the Ohio Department of Medicaid (ODM) gives notice of ODM's intent to consider the adoption, amendment, or rescission of the rule or rules identified below and of a public hearing thereon.

Rule 5160-5-01, "Dental services," sets forth Medicaid coverage and payment policies for dental services. It includes one appendix that lays out coverage of dental services by category.

Summary of changes to be effective:

A dated reference has been updated and reference to OAC 5160-1-18 "Telehealth" has been added in the rule body. Dental residents have been delineated as rendering providers. Regulatory restrictive words have been removed in accordance with section 121.95 of the Ohio Revised Code as enacted under House bill 166.

Changes incorporated into appendix A include the following:

- Procedure code terminology is updated based on changes to Code on Dental Procedures and Nomenclature (CDT) for 2021. The descriptors for covered services such as exams, prophylaxes and dentures have been revised. Examples of these updates are replacing "clasps" with "retentive/clasping materials...devices", "laboratory" with "indirect", "chairside" with "direct".

-New procedure codes for a covered service to indicate more specific anatomy being treated have been added. Two new frenectomy procedure codes (D7961 buccal/lingual, D7962 labial) have been added to replace a single non-specific procedure code (D7960) which has been deleted.

-A new procedure code for counseling for the control and prevention of adverse oral, behavioral, and systemic health effects associated with high-risk substance use (D1321) will be covered.

-A new procedure code for prefabricated porcelain - ceramic crown – permanent tooth (D 2928) will be covered. This new procedure code allows coverage of these crowns for permanent teeth as an equivalent to stainless steel crowns and at the same fees. ODM has

previously implemented coverage of prefabricated porcelain - ceramic crown – primary tooth.

-HB 11 requires ODM to cover 2 dental cleanings per year for pregnant women and several special groups such as foster children and employed individuals with disabilities. OAC allows two cleanings/exams per year for individuals ages 0-20 and one cleaning /exam for individuals ages 21 and over. All MMCPs cover two cleanings/exams for all ages. Cleanings and exams are overwhelmingly rendered during the same visit. Coverage of two exams for these individuals ages 21 and older will be covered in conjunction with two cleanings per year.

- Coverage of new services recementation of crowns (D2920), cone beam CT with view of both jaws (D0367), interim therapeutic restorations (ITR) for primary and permanent teeth (D2940, D2941), alveoloplasty in conjunction with extractions – one to three teeth (D7311) and COVID-19 testing (D0604, D0605).

-Procedure code “teledentistry – synchronous: real time” will be used to indicate the service was provided through teledentistry.

The purpose of these rule changes is to maintain up-to-date dental procedure codes, provide cost-effective alternatives, to recognize changes in the practice of dentistry and to increase program participation with minimal additional cost to the state, as well as, remove regulatory restrictive words in accordance with section 121.95 of the Ohio Revised Code as enacted under House bill 166.

Pursuant to Sub. H.B. 404 (133rd General Assembly), amending Section 12 of Am. Sub. H. B. 197 (133rd General Assembly), ODM 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 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 Ohio Department of Medicaid 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 rules are 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, Office of 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.