

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID**

DATE: March 1, 2021
TIME: 11:00 AM
Teleconference Phone Number: 1 614-721-2972
Teleconference Pin: 175479125

Pursuant to sections 5164.02 and 5164.32 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 consider the adoption, amendment, or rescission of the rule or rules as identified below and of a public hearing thereon.

TO BE AMENDED

Rule 5160-1-17.4, entitled "Revalidation of provider agreements," sets forth substantive and procedural policies for how and when a provider must revalidate its provider agreement with the department and the consequences for failure to revalidate in a timely manner. This rule also addresses how a delay by a governmental entity impacts a revalidation application, the effective date of the new provider agreement, hearing rights and on-site reviews. The department is proposing the following amendments to the rule:

- Allowing waiver or modification of revalidation deadlines if the Centers for Medicare and Medicare Services (CMS) waives or modifies the deadlines. This change is necessary to accommodate waivers and modifications made by CMS that temporarily change the federal revalidation requirements.
- Expanding the methods of delivery of the notice of upcoming provider agreement revalidation to include email in addition to regular mail. Only one method will be utilized per notice. This change is necessary to address the increasing cost to the state of notice by mail.
- Removal of provider revalidation timeframe language concerning licensure and certification which is no longer applicable.

Pursuant to Sub. H.B. 404 (133rd General Assembly), amending Section 12 of Am. Sub. H. B. 197 (133rd General Assembly), 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 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 is necessary and 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.

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A copy of the proposed rule is available, without charge, 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 and testimony on the rule should be submitted by mail to the Ohio Department of Medicaid Rule Administrator, Office of Chief Legal Counsel, 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.