

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID

DATE: 12/17/2021

TIME: 11:00am

Teleconference Dial-in Phone Number: 614-721-2972

Teleconference Pin: 762689583

Link to Microsoft Teams Meeting for Hearing: [Click here to join the meeting](#)

In-Person Location: 50 West Town Street, Room A501, Columbus, Ohio 43215

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 5160-1-01, entitled "Medical necessity," has been reviewed as part of the five-year rule review process and is being proposed for amendment to make minor language clarifications. This rule defines medical necessity for all Medicaid enrolled individuals, including those covered by early and periodic screening, diagnosis, and treatment (EPSDT). This rule identifies the criteria used to determine if a procedure, item, or service is considered medically necessary. It clarifies that a procedure, item, or service is not considered medically necessary, and payment is not guaranteed solely because a practitioner renders, prescribes, orders, certifies, recommends, approves, or submits a claim for it. This rule states the definition of medical necessity applies throughout the entire medicaid program and it directs providers to ODM coverage policies and rules for more specific criteria for categories of service.

ODM will hold the public hearing for this rule package via teleconference and in-person. All in-person attendees are required to follow ODM health and safety protocols, including temperature checks, wearing a face mask, and practicing social distancing when inside the ODM office. The date and time for this hearing are listed at the top of this Notice as well as the phone number, PIN (access code), and link for teleconference attendance, and location for in-person attendance. 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, ODM 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 persons who submit testimony 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, 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.