

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID

DATE: March 28, 2022

TIME: 11:00 AM

Teleconference Phone Number: 614-721-2972

Teleconference Pin: 843112545#

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

Pursuant to Chapter 119. and section 5166.02 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.

OAC 5160-45-11, entitled "ODM-administered waiver programs: exclusionary periods for disqualifying offenses; certificates; and pardons," is the rule that sets forth a tiered system of exclusionary periods for disqualifying offenses. The periods range from five years to permanent exclusion depending upon the type and number of offenses. The rule also sets forth policy regarding conditions under which certain offenders may be able to provide services including pardons, a Certificate of Qualification for Employment issued pursuant to Section 2953.25 of the Revised Code; or a Certificate of Achievement and Employability in an HCBS-related field, issued by the Ohio Department of Rehabilitation and Corrections pursuant to Section 2961.22 of the Revised Code. Proposed changes include the addition of a new disqualifying offense under the five-year exclusionary period. The new disqualifying offense is 2919.124 (unlawful performance of a drug-induced abortion) which was enacted by Senate Bill 260, effective April 12, 2021. Proposed changes also include change of sentence structures and correction of typographical errors. This rule is also being amended as a result of five year review.

Pursuant to Section three of Sub. H.B. 51 (134th General Assembly), ODM will hold the public hearing for this rule package via teleconference. The phone number, PIN (access code), link for teleconference attendance, 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 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 be excluded unless the information belongs to the person submitting the testimony or to 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(s) 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(s) or comments on the rule(s) 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.

ODM is committed to providing access and inclusion and reasonable accommodation in its services, activities, programs, and employment opportunities in accordance with the Americans with Disabilities Act (ADA) and other applicable laws. To request a reasonable accommodation due to a disability, please contact ODM's ADA Coordinator at 614-995-9981/TTY 711, Fax 1-614-644-1434, or Email: ODM_EEO_EmployeeRelations@medicaid.ohio.gov at least three (3) business days prior to the scheduled meeting. Further information can be found here: [Notice of Nondiscrimination](#).