

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID

DATE: April 13, 2023

TIME: 11:00 a.m.

Teleconference Phone Number: 1-614-721-2972

Teleconference Pin: 412696708#

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

In-Person Location: 50 W. Town Street, Columbus, Ohio 43215
Room A501 of the Lazarus building

Pursuant to Chapter 119. and section 5162.02 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.

Proposed for Amendment

OAC rule 5160-3-90 entitled "*Authorization for the Ohio department of developmental disabilities (DODD) to administer the medicaid program for services provided by intermediate care facilities for individuals with intellectual disabilities (ICFs-IID)*" is proposed for amendment. This rule and, an interagency agreement between DODD and the Ohio Department of Medicaid (ODM), describe the collaborative roles of both departments in overseeing and administering the Medicaid services provided by ICFs-IID. This rule was reviewed pursuant to a five-year rule review. The changes to the rule are:

- Clarifying language is being added and superfluous language is being removed;
- Administrative Code references are being updated; and
- Regulatory restrictions and inapplicable citations are being removed throughout the rule.

ODM will hold the public hearing for this rule package via teleconference and in-person. All in-person attendees are required to follow Lazarus building COVID-19 safety protocols when inside the ODM office. ODM will not require masks for individuals entering the building. However, visitors are welcome to wear masks if that is their preference. Masks are encouraged if visitors are not up to date with vaccine and boosters, have an immune disorder, or chronic medical condition(s). ODM encourages social distancing in all areas of the office. The date and time for

the public hearing are listed at the top of this Notice as well as the phone number, PIN (access code), 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. Those attending in person can be added to the witness list at the hearing. 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 in person or 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 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.

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), Title VI of the Civil rights Act, and other applicable laws. To request an interpreter, written information in a language other than English or in other formats (large print, audio, accessible electronic formats, other formats), or a reasonable accommodation due to a disability, please contact ODM's Civil Rights/ADA Coordinator at 614-995-9981/TTY 711, Fax 1-614-644-1434, or Email: ODM_EEO_EmployeeRelations@medicaid.ohio.gov. Requests should be made at least three (3) business days prior to the scheduled hearing. If you believe ODM has failed to provide these services or discriminated in another way, you can file a grievance with ODM's Civil Rights Coordinator and/or file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights. Further information on these processes and ODM's compliance with the ADA and other applicable laws can be found here: [Notice of Nondiscrimination](#).