

Hearing Date: 10/1/2018

Today's Date: 10/10/2018

Agency: Ohio Department of Medicaid

Rule Number(s): 5160-40-01, 5160-41-17, 5160-42-01

If no comments at the hearing, please check the box. ☐

List organizations or individuals giving or submitting testimony before, during or after the public hearing and indicate the rule number(s) in question.

1. Jamie Shier, The Legal Aid Society of Columbus; Rule Numbers 5160-40-01, 5160-41-17, and 5160-42-01

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Hearing Report and Summary

Consolidated Summary of Comments Received

Please review all comments received and complete a consolidated summary paragraph of the comments and indicate the rule number(s).

The summarized comments below apply to rule numbers 5160-40-01, 5160-41-17, and 5160-42-01.

The Legal Aid Society of Columbus provided written testimony concerning the proposed language changes in paragraph (C) and paragraph (M), in each of the aforementioned rules, which resulted in incongruous language between paragraphs. Language in paragraph (C) was amended to reflect updated processes for requesting a referral for a Department of Developmental Disabilities waiver. The Legal Aid Society was concerned with the removal of the terms “application” and “apply” in paragraph (C) in each of the aforementioned rules, while paragraph (M) continued to reference the term “applicant.”

Legal Aid Society recommended in their submitted written testimony to either add a definition of “applicant” to each of the three rules, or otherwise provide an explanation as “to when an individual “who requests a referral” is deemed to be an “applicant” for due process.”

Hearing Report and Summary

Incorporated Comments into Rule(s)

Indicate how comments received during the hearing process were incorporated into the rule(s).
If no comments were incorporated, explain why not.

As a result of the Legal Aid Society of Columbus' suggestion, The Ohio Department of Medicaid (ODM) made revisions to rule numbers 5160-40-01, 5160-41-17, and 5160-42-01. The term "applicant" was removed to correct the inconsistency between new proposed language in paragraph (C) and due process language in paragraph (M) in each of the aforementioned rules.