

Hearing Date: 11/9/2020

Today's Date: 11/19/2020

Agency: Ohio Department of Medicaid

Rule Number(s): 5160-56-01, 5160-56-04, 5160-56-05, 5160-56-06

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

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

1. Ohio Association of Physician Assistants (OAPA), OAC 5160-56-01, 5160-56-05

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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 Bipartisan Budget Act of 2018 and subsequent accompanying regulations expanded the Medicare definition of hospice “attending physician” to include physician assistants. Physician assistants, along with physicians and nursing practitioners, are allowed to provide and manage hospice care and establish and review a hospice patient’s plan of care. The Ohio Association of Physician Assistants (OAPA) is requesting that amendments be made to OAC 5160-56-01 Hospice Services: Definitions to include physician assistants to provide hospice care as an “attending physician” to align with CMS rules. OAPA is also requesting the addition of the definition of a physician assistant.

OAPA is also requesting an amendment be made to OAC 5160-56-05 (D)(1)(c), to be consistent with the amendments made in rule 5160-56-01, to include physician assistants as a rendering provider that deliver physicians’ services.

## 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.

#### **5160-56-01**

Based on testimony received at the 119 public hearing for this rule package and to align with federal regulations contained in 42 CFR 418.3, a physician assistant is being added as a type of health professional who may provide hospice care as an "attending physician." In addition, a definition is being added in paragraph (XX) to define a "physician assistant" as an individual who is currently licensed and authorized under Chapter 4730. of the Revised Code to practice as a physician assistant.

#### **5160-56-05**

Based on testimony received at the 119 public hearing for this rule package and to align with federal regulations, language is being added to paragraph (D)(1)(c) to include physician assistants as a health professional who may act as an attending physician to render physicians' services.

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