

**MEMORANDUM**

**TO:** Tommi Potter, Ohio Department of Medicaid

**FROM:** Emily Kaylor, Director of Regulatory Policy

**DATE:** April 13, 2017

**RE:** **CSI Review – Specialized Recovery Services Program (OAC 5160-43-04)**

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On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

**Analysis**

This rule package consists of one amended rule proposed by the Ohio Department of Medicaid (ODM) pertaining to the Specialized Recovery Services Program (SRSP). The rule package was submitted to the CSI Office on March 20, 2017 and the public comment period was held open through March 27. No comments were received during this time.

The rule details the covered services available to an individual enrolled in the SRSP and requirements for providers. The SRSP provides Medicaid eligibility and home and community-based services to adults with a diagnosis of severe and persistent mental illness or other diagnosed chronic conditions who meet certain eligibility criteria. The amendments update federal code references, expand on the experience required for recovery managers, and clarify some language.

The rule impacts providers of the services described in the rule which includes individualized placement and supported employment, peer recovery support, and recovery management. These providers must be certified by the Ohio Department of Mental Health and Addiction Services (OhioMHAS), have proper training, and maintain records for each individual they serve. The

certification cost is dictated by a fee schedule rule from OhioMHAS, not in this package. Administrative costs for recordkeeping vary, but the BIA states that an agency estimated their cost is \$373 a month, part of which is reimbursed by Medicaid payments. Finally, recovery manager trainings can range between 30 and 90 minutes and cost up to \$48 per training. ODM states that these requirements are necessary to comply with federal law and ensure the health and safety of individuals served so as to ensure SRSP integrity.

According to the BIA, ODM emailed the rules to members of their stakeholder group and received feedback from two stakeholders. After follow-up with the Department, CSI learned that the two stakeholders requested to see an appendix to another ODM rule which lists qualifying diagnoses for SRSP eligibility. ODM provided the appendix and the stakeholders had no further concerns. Additionally, no comments were received during the CSI process.

After reviewing the proposed rule and BIA, the CSI Office has determined the purpose of the rule is justified.

### **Recommendation**

For the reasons explained above, this office does not have any recommendations regarding this rule package.

### **Conclusion**

Based on the above comments, the CSI Office concludes that the Ohio Department of Medicaid should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.