

**MEMORANDUM**

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

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

**DATE:** July 21, 2017

**RE:** **CSI Review – Transportation Program Integrity (OAC 5160-15-14)**

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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 new rule being proposed by the Ohio Department of Medicaid (ODM). The rule package was submitted to the CSI Office on December 22, 2016 and the public comment period was held open through December 29. No comments were received during this time.

The new rule formally describes the requirements for contracts between county departments of job and family services and transportation vendors that provide direct service to Medicaid-eligible individuals. Transportation vendors could include an individual person, for-profit company, or not-for-profit organization.

The private transportation vendors will have to have their employees pass criminal background checks and provide certain identifying information of the business. Bureau of Criminal Investigation background checks cost \$46 per individual, and the Department estimates about ten minutes of staff time to provide the required information. ODM justifies these impacts as being

necessary to prevent fraud, waste, and abuse and to protect Medicaid recipients transported by these private individuals.

For early stakeholder outreach ODM states on the BIA that they reached out to the Ohio Department of Job and Family Services Directors' Association. This association shared the rule with their policy committee and expressed no concerns to the Department. CSI reached out to ODM to ensure other stakeholders, including private transportation vendors, were contacted as it was not evident in the BIA. ODM followed up with the previously mentioned association to have the local agencies reach out to their transportation partners directly. They allowed a month to provide feedback, and no transportation vendor provided comments on the rule. No comments were received during the CSI public comment period.

### **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.