



## Common Sense Initiative

**Mike DeWine**, Governor  
**Jon Husted**, Lt. Governor

**Carrie Kuruc**, Director

### MEMORANDUM

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

**FROM:** Jacob Ritzenthaler, Regulatory Policy Advocate

**DATE:** October 11, 2019

**RE:** **CSI Review – Dental Services (OAC 5160-5-01)**

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On behalf of Lt. Governor Jon Husted, 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). This rule package was submitted to the CSI Office on September 17, 2019 and the public comment period was held open through September 24, 2019. No comments were received during this time. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI office on September 17, 2019.

Ohio Administrative Code (OAC) 5160-5-01 establishes the policies governing Medicaid coverage of dental services. The rule includes appendices that set forth guidelines for frequency limits and covered procedures. Amendments are being made to Appendix A to make updates and adjustments to the coverage of several procedures, including silver diamide fluoride, dentures, and general anesthesia.

During early stakeholder outreach, ODM sent the rule to relevant industry stakeholders for feedback, including the Ohio Dental Association, Ohio State Dental Board, Ohio Association of Community Health Centers, and other government and professional associations. The amendments

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to the rule and appendix are largely the result of stakeholder suggestions during this time. No comments were received during the CSI public comment period.

The business community impacted by this rule includes all dentists and other providers offering dental services through Ohio Medicaid. The adverse impacts created by this rule are primarily the time and effort spent adhering to the administrative requirements of the rule. This can include the necessary documentation of service provided and medical necessity. ODM states that the rule is necessary to prevent fraud and waste within the Medicaid system, and promote quality and cost-effectiveness.

### **Recommendations**

Based on the information above, the CSI Office has no recommendations on this rule package.

### **Conclusion**

The CSI Office concludes that the Ohio Department of Medicaid should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.