



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: November 13, 2019

RE: **CSI Review – MyCare Ohio Plans: Termination of Enrollment (OAC 5160-58-02.1)**

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 October 3, 2019 and the public comment period was held open through October 10, 2019. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI office on October 3, 2019.

Ohio Administrative Code (OAC) 5160-58-02.1 establishes protocol for the termination of enrollment in a MyCare Ohio plan through ODM. The rule includes the reasons an individual may be terminated, as well as guidelines for termination requested by plan members. The rule is being amended to state that a plan member who is in a Medicare Part D drug management program and is in at-risk status may be precluded from changing plans.

During early stakeholder outreach, ODM sent the rule to businesses participating in offering MyCare Ohio Plans, including Aetna, Buckeye Health Plan, CareSource, Molina Healthcare of Ohio, and UnitedHealthcare Community Plan of Ohio. ODM did not receive comments from

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stakeholders during this time or during the CSI public comment period.

The business community impacted by this rule includes businesses that offer MyCare Ohio Plans in partnership with ODM. The adverse impacts created by the rule includes the time and effort spent by providers documenting changes and terminations of enrollment. ODM states in the BIA that the rule implements federally mandated requirements and provides guidelines for providers.

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.