



## 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 15, 2020

**RE:** **CSI Review – Podiatry Services (OAC 5160-7-01 and 5160-7-02)**

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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This rule package consists of two rescinded rules proposed by the Ohio Department of Medicaid (ODM). This rule package was submitted to the CSI Office on August 21, 2020, and the public comment period was held open through August 28, 2020. No comments were received during that time. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on August 21, 2020.

Ohio Administrative Code (OAC) Chapter 5160-7 establishes requirements for the provision of podiatry services through ODM. OAC 5160-7-01 establishes definitions used throughout the chapter. OAC 5160-7-02 establishes the scope of coverage for podiatric services, including specific or referenced reimbursement rates for services.

ODM has proposed to rescind the rules in this package as part of a larger effort to consolidate the service coverage requirements for podiatry into one rule that reflects updated scope of practice legislation that is currently moving forward in the Ohio General Assembly.

77 SOUTH HIGH STREET | 30TH FLOOR | COLUMBUS, OHIO 43215-6117

[CSIPublicComments@governor.ohio.gov](mailto:CSIPublicComments@governor.ohio.gov)

## **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.