

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID**

DATE: July 15th, 2024

TIME: 10:30am

Teleconference Dial-in Phone Number: 614-752-2972

Teleconference Pin: 288607376#

Link to Microsoft Teams Meeting for Hearing: [Join the meeting now](#)

In-Person Location: 50 W. Town St., Columbus, Ohio, 43215 – Room A501

Pursuant to Chapter 119. and sections 5160.02 and 5160.48 of the Ohio Revised Code (ORC), the Director of the Ohio Department of Medicaid (ODM) gives notice of ODM's intent to consider the amendment of the rule identified below and of a public hearing thereon.

Rule 5160-1-32, entitled "Medicaid: Safeguarding and Releasing Information," is being proposed for amendment as part of the five-year rule review process to comply with rule language requirements, and update effective dates for Code of Federal Regulations (C.F.R.), Social Security Act, and Internal Revenue Service (IRS) publication references. Multiple regulatory restrictions are being removed in accordance with ORC section 121.95.

This rule defines the types of information to be protected and governs the use and disclosure of such information to outside sources. It describes administrative agency responsibilities in safeguarding and releasing information of an individual applying for or participating in a medical assistance program. The rule provides examples of safeguarded information and includes references to the C.F.R., Social Security Act, IRS, and ORC for specific guidelines to protecting various types of confidential information. Additionally, the rule sets forth requirements that ODM must follow when releasing protected health information (PHI) and includes to whom and under what circumstances information can be released.

ODM will hold the public hearing for this rule package via teleconference and in-person. ODM will not require masks for individuals attending in person. However, visitors are welcome to wear masks if that is their preference. The date and time for the public hearing are listed at the top of this Notice as well as the phone number, PIN (access code), link for teleconference attendance, and location for in-person attendance.

All interested parties are invited to participate in the public hearing. Oral and written testimony will be accepted for this hearing and will be given the same consideration. Those who want to give oral testimony are asked to send an email to Rules@Medicaid.Ohio.gov no later than one hour before the hearing to be added to the witness list. Those attending in person can be added to the witness list at the hearing. There will be a final call at the end of the hearing for those who wish to offer oral testimony but are not yet on the witness list.

Written comments submitted in person or via fax, United States Postal Service, or email that are received or postmarked no later than the day of the hearing will be accepted as testimony and become part of the hearing record. All testimony will become public record; therefore, ODM asks that protected health information be excluded unless the information belongs to the person

submitting the testimony or to a person for which the submitter is a legal guardian. Written testimony sent via email is highly recommended. All testimony received via email will receive a confirmation of receipt.

A copy of the proposed rules is available, without charge, to any person at the address listed below. The rule is also available on the internet at <http://www.registerofohio.state.oh.us/>. Requests for a copy of the proposed rule or comments on the rule should be submitted by mail to the Ohio Department of Medicaid, Office of Legal Counsel, 50 W. Town Street, Suite 400, Columbus, Ohio 43215-3414, by fax at (614) 995-1301, or by e-mail at Rules@Medicaid.Ohio.gov.

ODM is committed to providing access and inclusion and reasonable accommodation in its services, activities, programs, and employment opportunities in accordance with the Americans with Disabilities Act (ADA), Title VI of the Civil Rights Act, and other applicable laws. To request an interpreter, written information in a language other than English or in other formats (large print, audio, accessible electronic formats, other formats), or a reasonable accommodation due to a disability, please contact ODM's Civil Rights/ADA Coordinator at 614-995-9981/TTY 711, Fax 1-614-644-1434, or Email: ODM_EEO_EmployeeRelations@medicaid.ohio.gov. Requests should be made at least three (3) business days prior to the scheduled hearing. If you believe ODM has failed to provide these services or discriminated in another way, you can file a grievance with ODM's Civil Rights Coordinator and/or file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights. Further information on these processes and ODM's compliance with civil rights and other applicable laws can be found here: [Notice of Nondiscrimination](#).