

PUBLIC HEARING NOTICE

OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: 1 2 / 5 / 2 4

T I M E: 10:00 a.m.

LOCATION: Teleconference and Room 3110B, Rhodes State Office Tower 30 East Broad St., Columbus, Ohio 43215

This meeting will be held by teleconference and in person. If you would like submit oral testimony, please attend the meeting site location, or call in at the date and time to 1-614-721-2972. Then enter the meeting I.D # which is 350 973 72#. Written testimony may also be submitted electronically to: rules@jfs.ohio.gov

Pursuant to sections 3125.25, 5101.35, 5164.02 and 5164.758 and Chapter 119. of the Ohio Revised Code, the Ohio Department of Job and Family Services gives notice of the department's intent to consider the rescission and amendment of the rules as identified below and of a public hearing thereon. This is a result of the five-year rule review requirements.

5101:6-2-01 "State hearings: notice at the time of application."

This rule states that an assistance group is to be notified at the time of application of its right to a state hearing and describes the method by which such notice shall be given. The rule is being amended to remove restrictive language. Section B of this rule is being amended to replace "it's computer-generated equivalent" with "an ODJFS approved equivalent."

5101:6-2-02 State Hearings: Notice of Approval of an Application for Benefits

This rule states that an assistance group is notified when its application for benefits has been approved and describes the method by which such notification shall be given. The rule is being amended to remove restrictive language. Section A(2) of this rule is being amended to replace "computer generated" with "approved." Section B(1) of this rule is being amended to coincide with the changes made in Section A(2). Section B(8) of this rule is being removed.

5101:6-2-03 "State Hearings: Notice of Denial of an Application for Benefits"

This rule states that an assistance group is notified when its application for benefits has been denied and describes the method by which such notification shall be given. The rule is being amended to remove restrictive language. Section A(2) of this rule is being amended to replace "computer generated" with "an Ohio department of job and family services (ODJFS) approved." Section B(1) of this rule is being amended to coincide with the changes made in Section A(2). Section B(8) of this rule is being removed.

5101:6-2-04 "State hearings: prior notice of adverse action." This rule states that an assistance group shall receive prior notification when adverse action is proposed by the local agency. The rule also describes the method by which such notification shall be given. The rule is being amended to remove restrictive language. The rule is being amended to add "expunge" in the first paragraph. In

paragraph c of the rule, “its computer-generated” will be replaced with “an Ohio department of job and family services (ODJFS) approved equivalent.”

5101:6-2-05 "State hearings: exceptions to prior notice." This rule describes the exceptions to prior notice of proposed adverse action. The rule is being amended to remove restrictive language. In section A(3), “(Adequate Notice)” will be removed. In the same section, “its computer-generated” will be replaced with “an Ohio department of job and family services (ODJFS) approved equivalent.”

5101:6-2-06 "State hearings: notice of mass change in benefits." This rule states that an assistance group shall receive prior notice when a mass change will require an automatic adjustment of benefits, and the rule describes the method by which such notification shall be given. The rule is being amended to remove restrictive language. In section 3 of this rule, “its computer-generated equivalent, or other notice specifically developed and designated by the Ohio department of job and family services (ODJFS),” will be replaced with “an Ohio department of job and family services (ODJFS) equivalent.” References to specific effective and revision dates will be removed, as well as references to specific subsections of other rules.

5101:6-2-07 "State hearings: notice of the right to a state hearing - child support services." This rule states the notifications an assistance group receives from child support services (right to hearing, application acceptance or denial, termination of support order, and case closure), and the rule describes the method by which such notification shall be given. The rule is being amended to remove restrictive language. References to specific effective and revision dates will be removed, as well as references to specific subsections of rule.

5101:6-2-08 "State hearings: notice whenever disagreement with an action or inaction is expressed." This rule states that an assistance group is reminded to request a hearing and/or provided a new application when disagreement with action or inaction is expressed. The rule is being amended to remove restrictive language. References to specific revision dates will be removed.

5101:6-2-20 "State hearings: notice of overpayment/overissuance." This rule states that an assistance group is notified when the local agency has determined there was an overpayment/overissuance and describes the method by which such notification shall be given. The rule is being amended to remove restrictive language. References to specific revision dates will be removed. In section B (4) of this rule, “its computer-generated,” will be replaced with, “an Ohio department of job and family services (ODJFS) equivalent.”

5101:6-2-25 "State hearings: notice of eligibility for lost supplemental nutrition assistance program (SNAP) benefits." This rule states that an assistance group is notified when a loss of SNAP benefits has occurred and describes the method by which such notification shall be given. The rule is being amended to remove restrictive language.

5101:6-2-26 "State hearings: notice of approval, denial or delay of replacement supplemental nutrition assistance program (SNAP) benefits." This rule states that an assistance group is notified when its request for replacement benefits has been approved, denied, or delayed and describes the method by which such notification shall be given. The rule is being amended to remove restrictive language. References to specific revision dates will be removed. In section C of the rule, “its computer-generated,” will be replaced with, “an Ohio department of job and family service (ODJFS) approved.”

5101:6-2-30 "State hearings: notice of medical determination." This rule describes the process in which a notice of a medical determination will be sent to an individual or their authorized representative. The rule explains the situations in which a notice is sent and contains the information included in that notice. The rule is being amended to remove restrictive language. References to specific revision dates will be removed. In section A of the rule, "its computer-generated" will be replaced with, "an Ohio department of medicaid (ODM) approved."

5101:6-2-31 "State hearings: notice of denial of prior authorization for medical or dental services." This amended rule governs the process for sending notification of denial to an individual who has requested prior authorization of medical or dental services. The rule explains who receives the notification and what information the notification contains. The rule is being amended to remove restrictive language. References to specific revision dates will be removed. In section B, "its computer-generated equivalent" will be removed.

5101:6-2-32 "State hearings: notice of adverse preadmission screening and resident review (PASSR) determinations." This rule governs the process for sending notices for adverse preadmission screenings and resident review determinations. It describes what is contained in each notice, who receives the notice, and how the notice is delivered. The rule is being amended to remove restrictive language.

5101:6-2-36 "State hearings: notice of denial of just cause request for termination of managed care plan's membership." This amended rule governs the process for sending notices of denial of a just cause request for termination of a managed care plan's membership. The rule explains why this notice is sent and what information is contained in the notice. The rule is being amended to remove restrictive language. References to specific revision dates will be removed.

5101:6-2-40 "State hearings: coordinated services program state hearing and notice requirements." This amended rule sets forth the hearing process for the Medicaid "Coordinated Services Program" (CSP). The rule includes hearing and notice rights associated with proposed enrollment into the CSP, continued enrollment into the CSP, and denial of a designated provider change. The rule is being amended to remove restrictive language. In sections C (1), D (1) and E (1) of the rule, "or its electronic equivalent," will be removed.

5101:6-6-03 "State hearings: recording the hearing." This amended rule explains the recording of the hearing is not an official part of the hearing record. The rule also describes the period of time in which a taped recording of a state hearing is retained by state hearings. Finally, the rule also describes the availability of rehearing a case when the taped recording is inaudible. The rule is being amended to remove restrictive language. In section C of the rule, "mail" will be replaced with, "provide."

5101:6-6-04 "State hearings: telephone hearings." This amended rule describes the process by which an individual and local agency may participate in the state hearing by telephone. It also informs the parties how evidence would be collected and made available to the hearing officer. Finally, it requires the hearing officer to provide a description of the evidence made available to the parties during the phone hearing. This rule will be obsolete as it no longer applies to the bureau's hearing process.

5101:6-7-02 "State hearings: standards for revising community spouse income and resource allowances at a state hearing." This rule sets forth the standards by which an individual receiving

Medicaid can request a state hearing regarding the community spouse's minimum monthly maintenance needs allowance (MMMNA) or the community spouse resource allowance (CSRA). This rule also describes the method by which the hearing officer would calculate an amended MMMNA or CSRA. Finally, the rule informs the individual a hearing will be overruled if the individual has not availed himself or herself of all available sources of income. The rule is being amended to remove restrictive language.

5101:6-8-02 "State hearings: county reviews." This rule governs the process for a county to appeal a state hearing decision through a process called county review. This rule explains the procedures and outcomes of the county review process. The rule is being amended to remove restrictive language.

A copy of the proposed rule(s) is available, without charge, to any person affected by the rule(s) at the address listed below. The rule(s) is also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rule(s) will be held at the date, time, and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rule(s) or comments on the rule(s) should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal and Acquisition Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov.