

**LEGAL NOTICE
STATE OF OHIO
OHIO DEPARTMENT OF MEDICAID**

Pursuant to section 1902(a)(13)(A) of the Social Security Act and 42 CFR 447.205, the director of the Ohio Department of Medicaid (department) gives notice of the department's intent to end the Medicaid Episodes Based Payment (EBP) Program.

The EBP model was established to create an Ohio-specific value-based purchasing model to reward high-quality care and outcomes. The Episodes program established Principal Accountable Providers (PAPs) for a defined episode of care (EOC) and encouraged clinical effectiveness, supported referral to providers who deliver high-quality care, and applied financial incentives to evaluate the cost and quality of care delivered for each episode. PAPs received a positive incentive payment if their average cost for a certain episode fell below a predetermined threshold and they met specific quality measures. PAPs whose cost was above a predetermined threshold were held responsible by being assessed a negative incentive.

The onset of the COVID-19 public health emergency (PHE) changed the way individuals sought care, reduced the delivery of preventive and less acute services, and delayed needed services for severe conditions. Since the context of care and related claims submitted has changed dramatically, consistent claims data required to anchor the EBP program remained unavailable during the PHE.

As a result of the PHE, the Ohio Department of Medicaid (ODM) did not assess positive and negative incentive payments for the performance periods of calendar years 2020, 2021, 2022. With no incentives or reporting intended to assess performance for incentives, ODM has decided to end the EBP program.

Implementation of this change is expected to have no impact on annual aggregate expenditures for any of the following state plan benefit categories or services:

- Inpatient Hospital Services
- Outpatient Hospital Services
- Physicians' Services
- Podiatrists' Services
- Chiropractors' Services
- Physician Assistants' Services
- Advanced Practice Nurses Services
- Free Standing Ambulatory Health Care Clinics
- Outpatient Health Facilities
- Ambulatory Surgery Centers
- Dental Services
- Nurse Midwife Services
- Certified Pediatric and Family Nurse Practitioner Services
- Emergency Hospital Services

Any person may examine and obtain a copy of the policy that is ending, without charge, at the following locations:

Ohio Department of Medicaid, 50 West Town Street, Suite 400, Columbus, Ohio 43215; or
Any county department of job and family services; or

On the internet at <http://www.registerofohio.state.oh.us> by searching Ohio Administrative Code rule 5160-19-04.

Written comments regarding these changes may be submitted by mail to the Ohio Department of Medicaid, Attn.: Meredith Schram, Bureau of Health Plan Policy, 50 West Town Street, Suite 400, Columbus, Ohio 43215-3414 and may be reviewed at the same location. Comments may also be provided by e-mail to the following address: General.Policy@medicaid.ohio.gov. Comments must be submitted no later than December 22, 2023.

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](mailto:ODM_EEO_EmployeeRelations@medicaid.ohio.gov). 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](#).