

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5160-1-06.1

Rule Type: Amendment

Rule Title/Tagline: Home and community-based service waivers: PASSPORT.

Agency Name: Ohio Department of Medicaid

Division:

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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 7/1/2024
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 5166.02
5. **What statute(s) does the rule implement or amplify?** 173.52
6. **What are the reasons for proposing the rule?**

This rule is being proposed for amendment to increase the maximum allowable rates for personal care services and enhanced community living in the PASSPORT waiver, and to correct an omission and typographical errors.

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

Rule 5160-01-06.01, entitled "Home and Community-based service waivers: PASSPORT" sets forth the PASSPORT covered services and the maximum allowable rates for services furnished under the PASSPORT waiver. This rule is being proposed

for amendment to increase the maximum allowable reimbursement for personal care services and enhanced community living set forth in Appendix A. It also corrects typographical errors including service names, units and billing maximums for existing services, and adds in one existing service, homemaker, that was previously omitted from the appendix.

8. **Does the rule incorporate material by reference? Yes**
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75 please explain the basis for the exemption and how an individual can find the referenced material.**

This rule incorporates one or more references to another rule or rules of the Ohio Administrative Code. Such reference is exempt from compliance with incorporation by reference requirements pursuant to ORC 121.75(A).

This rule incorporates one or more references to a section or sections of the Code of Federal Regulations. Such reference is exempt from compliance with incorporation by reference requirements pursuant to ORC 121.75(A).

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will increase expenditures.

\$11,404,489

The projected increase in expenditures is due to a 3.25% increase in the maximum allowable reimbursement for the personal care service and a 15.2% increase in the maximum allowable reimbursement for the enhanced community living service.

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

There is no cost of compliance for this rule.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No
14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No
15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable.

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? No
17. Does this rule have an adverse impact on business? No
 - A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No
 - B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No
 - C. Does this rule require specific expenditures or the report of information as a condition of compliance? No
 - D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No