

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5160-27-05

Rule Type: New

Rule Title/Tagline: Intensive home based treatment service.

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?**
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?** 5162.02, 5162.05, 5164.02
5. **What statute(s) does the rule implement or amplify?** 5162.02, 5162.03
6. **What are the reasons for proposing the rule?**

This new rule is being proposed to update the Medicaid covered service and policy addressed by the rule.

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

This new rule replaces a current rule with the same number. This new rule defines the intensive home based treatment service and states the requirements providers of the service must meet. Medicaid reimbursement limitations and policy are also stated. The rule has an appendix which states the Medicaid reimbursement schedule.

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. This question is not applicable to any incorporation by reference to another Ohio Administrative Code rule because such reference is exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.75.

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.

\$200,000

For the remainder of SFY 22 the estimated cost is \$200,000. For SFY 23 the increased expenditures are a result of the service that is a part of the OhioRISE program being implemented beginning July 1, 2022. The impact of OhioRISE will be \$317 million in FY23. Specialized services for OhioRISE will cost an additional \$265M in SFY 2023. The administrative costs of implementing OhioRISE are \$52 million in SFY 2023. Additional information regarding the program and cost can be found in the following white papers on the Next Generation of Ohio Medicaid Managed Care Procurement Fiscal Impact and OhioRISE Realigned Service Delivery:

<https://www.medicaid.ohio.gov/Portals/0/Resources/Budget/SFY-22-23-OhioRISE-Realigned-Service%20Delivery.pdf>

<https://www.medicaid.ohio.gov/Portals/0/Resources/Budget/SFY-22-23-ODM-Next-Gen-Procurement-Fiscal%20Impact.pdf>

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

Not Applicable.

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? Yes

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

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

A. How many new regulatory restrictions do you propose adding?

Not Applicable

B. How many existing regulatory restrictions do you propose removing?

Not Applicable