

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5160-27-13

Rule Type: New

Rule Title/Tagline: Mobile response and stabilization 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?** 5164.02, 5162.05, 5162.02
5. **What statute(s) does the rule implement or amplify?** 5162.02, 5162.03
6. **What are the reasons for proposing the rule?**

This rule is being proposed for adoption to implement mobile response and stabilization service (MRSS) which is a component of the OhioRISE program and the Next Generation of Managed Care.

As part of its Next Generation of Managed Care, and in partnership with the Governor's Children's Initiative and other child-serving state agencies, the Ohio Department of Medicaid (ODM) is designing a reimagined Medicaid system and structure to better serve children and youth who have complex behavioral health and multi-system needs through the Ohio Resilience through Integrated Systems and Excellence (OhioRISE) Program.

The OhioRISE Program, operated by ODM, is a managed care prepaid inpatient health plan (PIHP) for children with behavioral health needs who are often served by multiple delivery systems in the state.

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

The rule defines MRSS as well as stating the requirements for an eligible provider of the service. Reimbursement policies, including coverage and limitations, are also stated.

- 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 OAC rule because such reference is exempt from compliance with RC 121.71 to 121.74 pursuant to RC 121.75.

This rule incorporates one or more dated references to the Code of Federal Regulations (CFR). This question is not applicable to any dated incorporation by reference to the CFR because such reference is exempt from compliance with RC 121.71 to 121.74 in accordance with RC 121.75(A)(2)(d).

- 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.

\$4.9 million for SFY 2023

MRSS is a newly covered Medicaid service.

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

If a provider chooses to render MRSS, the provider must first be certified by the Ohio Department of Mental Health and Addiction Services. The financial cost of this certification is dependent on any current accreditations from other organizations the provider holds. Information regarding certification costs can be found in rule 5122-25-08. If a recipient is no longer receiving the service then the provider must notify an Ohio Department of Medicaid designated entity which would require staff time but no additional financial cost.

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?** Yes
 - A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business?** Yes

Prior to rendering MRSS, the provider must be certified to do so by the Ohio Department of Mental Health and Addiction Services.
If a provider wishes to render the stabilization service for more than six weeks, prior authorization must be obtained from the ODM designated entity.
 - 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?** Yes

Upon initiation, termination, or transition of stabilization services, the vendor must notify the ODM designated entity of the service termination.

- 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? Yes**

The cost of certification through OhioMHAS is based upon the budget of the agency that is applying for certification. The fee schedule showing the correlation between the agency's budget and the certification cost is located in OhioMHAS OAC rule 5122-25-08.

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