

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 5160-28-06.1

**Rule Type:** Rescission

**Rule Title/Tagline:** Cost-based clinics: determination of a PVPA for an FQHC service on the basis of a medicaid cost report.

**Agency Name:** Ohio Department of Medicaid

**Division:**

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#### I. Rule Summary

1. Is this a five year rule review? Yes
  - A. What is the rule's five year review date? 4/15/2022
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
5. What statute(s) does the rule implement or amplify? 5164.02
6. What are the reasons for proposing the rule?

This rule is being rescinded and replaced as a result of five-year review.

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

This rule sets forth the method for determining a per-visit payment amount (PVPA) for an FQHC service on the basis of a cost report. An FQHC includes data in cost reports to document its productivity level. Tests of reasonableness, in the form of numerical standards, are applied to some of this information.

8. Does the rule incorporate material by reference? No
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.

*Not Applicable*

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 have no impact on revenues or expenditures.

\$0

Not Applicable.

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 associated with 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.

There is no cost of compliance associated with this rule.

## **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**

**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? Yes**

- A. How many new regulatory restrictions do you propose adding? 0**
- B. How many existing regulatory restrictions do you propose removing? 3**

5160-28-06.1, (A)(3) -- removed "must"

5160-28-06.1, (A)(4) -- removed "must"

5160-28-06.1, (A)(5) --removed "must"