

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 5160-56-01

**Rule Type:** Amendment

**Rule Title/Tagline:** Hospice services: definitions.

**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? 7/16/2024
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? 5164.02
5. What statute(s) does the rule implement or amplify? 5162.02
6. What are the reasons for proposing the rule?

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 provisions for hospice services definitions and is being proposed for amendment as part of the five year rule review process and includes the following changes:

- 1) In paragraph (D), language is being replaced to align with the definition found in rule 5160-1-33 of the Administrative Code.
- 2) In paragraph (H), language is being added to align with federal regulations.
- 3) Language is being replaced to reflect the new way hospice enrollment data is reported to ODM, through a Medicaid provider portal, and removing all references to the Medicaid Information Technology System (MITS).
- 4) In paragraph (Z), language is being removed as it is later referenced in rule 5160-56-06 of the Administrative Code.
- 5) In new paragraph (NN), managed care language is being updated to align with rule 5160-26-01 of the Administrative Code.
- 6) In paragraph (DDD), telehealth language was added in response to the COVID-19 public health emergency (PHE) and is being removed as it is no longer applicable.
- 7) Language revisions are being made to improve readability.
- 8) Paragraphs are being re-lettered as necessary.
- 9) Code of Federal Regulation dates are being updated.

**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.

0.00

Not Applicable.

**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? 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? No
  - A. How many new regulatory restrictions do you propose adding to this rule?

Not Applicable

- B. How many existing regulatory restrictions do you propose removing from this rule?**

Not Applicable

- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**

Not Applicable