

LEGAL NOTICE

STATE OF OHIO
DEPARTMENT OF JOB AND FAMILY SERVICES

Pursuant to section 5111.02 and Chapter 119. of the Revised Code and 42 CFR 447.205, the Director of the Department of Job and Family Services gives notice of the department's intent to rescind rule 5101:3-1-06 and to amend rules 5101:3-1-06, 5101:3-1-06.1, 5101:3-1-06.2, 5101:3-1-06.3 and 5101:3-1-06.4, and of a public hearing .

Rule 5101:3-1-06 entitled Home and Community-Based Service Waivers is being rescinded because it is being reorganized into several sub rules. The reorganization is intended to facilitate future rule filing for the multiple agencies that are responsible for individual waiver programs. There are no policy changes or changes in reimbursement rates. The department estimates no increase or decrease in annual aggregate expenditures as a result of the reorganization of this rule.

Rule 5101:3-1-06 entitled Home and Community-Based Service Waivers: General Description is being adopted (along with four sub rules) to replace the prior version of this rule which will be rescinded. The proposed rule gives a general description of the Home and Community-Based Service Waivers and lists the sub rules which provide individual descriptions, approval information and reimbursement rates for each of the HCBS waiver programs. There are no policy changes or reimbursement rate changes. The department estimates no increase or decrease in annual aggregate expenditures as a result of the reorganization of this rule.

Rule 5101:3-1-06.1 entitled Home and Community-Based Service Waivers: PASSPORT is being adopted to replace part of the prior HCBS waiver rule that will be rescinded. The rule describes the PASSPORT waiver program, provides approval information and reimbursement rates for PASSPORT services. There are no policy changes or reimbursement rate changes. The department estimates no increase or decrease in annual aggregate expenditures as a result of the creation of this rule.

Rule 5101:3-1-06.2 entitled, Home and Community-Based Service Waivers: Payment Standards for Individual Options and Residential Facility Waiver Programs Administered by the Ohio Department of Mental Retardation and Developmental Disabilities is being adopted to replace part of the prior HCBS waiver rule that will be rescinded. The rule provides payment standards for the Individual Options and Residential Facility Waiver programs. There are no policy changes or reimbursement rate changes. The department estimates no increase or decrease in annual aggregate expenditures as a result of the creation of this rule.

Rule 5101:3-1-06.3 entitled, Home and Community-Based Service Waivers: ODJFS-Administered is being adopted to replace part of the prior HCBS waiver rule that will be rescinded and to comply with

provisions of the Health Insurance Portability and Accountability Act. The rule describes the ODJFS-Administered waiver program, provides approval information, reimbursement rates for ODJFS-Administered waiver services and new HIPAA compliant codes. There are no policy changes or reimbursement rate changes. The department estimates no increase or decrease in annual aggregate expenditures as a result of the creation of this rule.

Rule 5101:3-1-06.4 entitled, Home and Community-Based Service Waivers: Choices is being adopted to replace part of the prior HCBS waiver rule that will be rescinded. The rule describes the Choices waiver program, provides approval information and reimbursement rates for Choices waiver services. There are no policy changes or reimbursement rate changes. The department estimates no increase or decrease in annual aggregate expenditures as a result of the creation of this rule.

A copy of the rescinded rule and the new rules are available without charge to any person affected by it at the address listed below. The rescinded rule and the new rules are available to every County Department of Job and Family Services and are also available on the Internet at <http://www.state.oh.us/odjfs/legal.htm>.

A public hearing on these rules will be held on on November 18, 2003 at 10:00 a.m. in the Lobby Hearing Room of the Rhodes Office Tower, 30 East Broad Street, Columbus, Ohio. Either written or verbal testimony on the rules will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the hearing will be treated as testimony. Requests for a copy of the rules or comments on them should be submitted by mail to: Ohio Department of Job and Family Services, Office of Legal Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-0414, by fax at (614) 752-8298, or by e-mail at legal@odjfs.state.oh.us. Written comments may be reviewed at the department at the address listed above.