

**FEDERAL MEDICAID NOTICE AND PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES**

**DATE:** August 16, 2011  
**TIME:** 10:00 A.M.  
**LOCATION:** Rhodes State Office Tower, 30 East Broad Street,  
Room 2925, Columbus, Ohio 43215

Pursuant to sections 5111.02, and 5111.85 Chapter 119. of the Ohio Revised Code, and 42 C.F.R. 447.205, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the amendment of the rules as identified below and of a public hearing thereon.

The following pre-admission screening system providing options and resources today (PASSPORT), Assisted Living, Choices, home and community-based services waivers and program of all inclusive care for the elderly (PACE) program rules are being proposed for amendment to implement language in HB 153 (129<sup>th</sup> GA).

**Rule 5101:3-1-06.1** entitled **Home and community-based services waivers: PASSPORT**, is being proposed for amendment to reduce the maximum reimbursement rate for services provided through the PASSPORT Medicaid waiver program. The change to the rule will decrease the maximum allowable reimbursement rates for PASSPORT services, except emergency response system service (ERS), by 3%. The ERS service will be reduced by 10%.

**Rule 5101:3-1-06.4** entitled **Home and community-based services waivers: Choices**, is being proposed for amendment to reduce the maximum reimbursement rate for services provided through the Choices Medicaid waiver program. The change to the rule will decrease the maximum allowable reimbursement rates for Choices services, except emergency response system service (ERS), by 3%. The ERS service will be reduced by an amount sufficient to equal the maximum rate in the PASSPORT waiver as set forth in rule 5101:3-1-06.1 of the Administrative Code.

**Rule 5101:3-1-06.5** entitled **Home and community-based services waivers: Assisted Living**, is being proposed for amendment to reduce the maximum reimbursement rate for services provided through the Assisted Living Medicaid waiver program. The change to the rule will decrease the maximum allowable reimbursement rates for services available under the Assisted Living waiver

**Rule 5101:3-31-07** entitled **PASSPORT HCBS waiver program rate setting**, is being proposed for amendment to change how the state reimburses providers who are serving more than one consumer at the same time. The change to the rule will result in reduced reimbursement to providers of transportation, non-medical transportation, personal care

services, and adult day transportation, only to the extent that they are simultaneously serving multiple PASSPORT consumers.

**Rule 5101:3-32-07** entitled **Choices HCBS waiver program rate setting**, is being proposed for amendment to change how the state reimburses providers who are serving more than one consumer at the same time. The change to the rule will result in reduced reimbursement to providers of adult day service transportation, only to the extent that they are simultaneously serving multiple Choices consumers. The Ohio Administrative Code (OAC) 5101:3-1-06.1 dealing with the pre-admission screening system providing options and resources today (PASSPORT) Medicaid home and community based services waiver program (HCBS) and 5101:3-1-06.4 Home and community-based services waivers: Choices is being proposed for amendment to implement language in House Bill 119 (127<sup>th</sup> General Assembly).

**5101:3-36-01** entitled **Program of all inclusive care for the elderly (PACE) definitions and acronyms**. The purpose of this rule is to define the terms used in rules governing in the program of all-inclusive care for the elderly (PACE).

**5101:3-36-02** entitled **Program of all inclusive care for the elderly (PACE) program administration**. This rule sets forth that the day to day administration of the PACE program shall be carried out by Ohio department of aging (ODA).

**5101:3-36-06** entitled **Program of all inclusive care for the elderly (PACE) organization reimbursement**. This rule sets forth the reimbursement standards for the PACE program. This rule takes the existing practice for reimbursement and generally describes that standard in rule. There is no change in reimbursement methods or standards and will not impact current reimbursement amounts or practice.

The aggregate decrease in expenditures for Ohio's Medicaid program to reduce the maximum allowable rate of reimbursement for PASSPORT, Choices, and Assisted Living waiver providers and to change how the state pays for services rendered simultaneously by the same provider to more than one consumer is estimated to be approximately \$20,275,000.00 (state and federal funds) in state fiscal year 2012.

A copy of the proposed rules is available, without charge, to any person affected by the rules at the address listed below and at the county departments of job and family services. The rules are also available on the internet at <http://www.registerofohio.state.oh.us/>.

Requests for a copy of the proposed rules or comments on the rules should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal Services, 30 East Broad Street, 31<sup>st</sup> Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at [rules@odjfs.state.oh.us](mailto:rules@odjfs.state.oh.us). Comments received may be reviewed at this address.