

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

**DATE:** April 27, 2006  
**TIME:** 10:00 a.m.  
**LOCATION:** Lobby Hearing Room, Rhodes State Office Tower  
30 East Broad St., Columbus, Ohio 43215-3414

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

Rule 5101:3-1-06.3, entitled Home and Community-based Service Waivers: ODJFS-administered (Ohio Home Care and Transitions), is being proposed for rescission to implement part of the Ohio Home Care redesign. This rule contains the reimbursement rates and billing procedures for the Ohio Home Care and Transitions Waiver. It is being replaced by new rules 5101:3-46-06, 5101:3-47-06 and 5101:3-50-06 of the Administrative Code.

Rule 5101:3-1-06, entitled Home and Community-Based Service Waivers: General Description, is being proposed for amendment to implement part of the Ohio Home Care Program redesign. This rule provides a general description of home and community-based service waivers in Ohio. This amendment adds references to the applicable Administrative Code rule cites for reimbursement rates and billing procedures for the Ohio Home Care, Transitions MR/DD and Transitions Carve-Out Waivers.

Rule 5101:3-46-06, entitled Ohio Home Care Waiver Program: Reimbursement Rates and Billing Procedures, is being proposed to implement part of the Ohio Home Care Program redesign. This rule is being proposed for the purpose of establishing new HIPAA codes for Ohio Home Care Waiver services. It also sets forth the reimbursement rates for all Ohio Home Care Waiver services. The reasons for this proposal are to contain Medicaid expenditures and to bring the nursing rates more in line with what nurses are paid in other care settings in Ohio. The first hour of Waiver Nursing Services is being reduced by eight percent, and each subsequent hour of Waiver Nursing Services is being reduced by five percent. The department estimates the changes being implemented by rules 5101:3-46-06, 5101:3-47-06, 5101:3-50-06, and 5101:3-12-06 will decrease annual aggregate Medicaid expenditures by \$8,000,000. There are no additional changes in methods and standards. This rule replaces rule 5101:3-1-06.3, in part.

Rule 5101:3-47-06, entitled Transitions MR/DD Waiver Program: Reimbursement Rates and Billing Procedures, is being proposed to implement part of the Ohio Home Care Program redesign. This rule is being proposed for the purpose of establishing new HIPAA codes for Transitions MR/DD Waiver services. It also sets forth the reimbursement rates associated with Transitions MR/DD Waiver services. The reasons for this proposal are to contain Medicaid expenditures and to bring the nursing rates more

in line with what nurses are paid in other care settings in Ohio. The first hour of Waiver Nursing Services is being reduced by eight percent, and each subsequent hour of Waiver Nursing Services is being reduced by five percent. The department estimates the changes being implemented by rules 5101:3-46-06, 5101:3-47-06, 5101:3-50-06, and 5101:3-12-06 will decrease annual aggregate Medicaid expenditures by \$8,000,000. There are no additional changes in methods and standards. This rule replaces rule 5101:3-1-06.3, in part.

5101:3-50-06, entitled Transitions Carve-Out Waiver Program: Reimbursement Rates and Billing Procedures, is being proposed to implement part of the Ohio Home Care Program redesign. This rule is being proposed for the purpose of establishing new HIPAA codes for Transitions Carve-Out Waiver services. It also sets forth the reimbursement rates associated with Transitions Carve-Out Waiver services. The reasons for this proposal are to contain Medicaid expenditures and to bring the nursing rates more in line with what nurses are paid in other care settings in Ohio. The first hour of Waiver Nursing Services is being reduced by eight percent, and each subsequent hour of Waiver Nursing Services is being reduced by five percent. The department estimates the changes being implemented by rules 5101:3-46-06, 5101:3-47-06, 5101:3-50-06, and 5101:3-12-06 will decrease annual aggregate Medicaid expenditures by \$8,000,000. There are no additional changes in methods and standards. This rule replaces rule 5101:3-1-06.3, in part.

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/>. A public hearing on the proposed rules will be held at the date, time, and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

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.