

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

DATE: May 17, 2006
TIME: 11:00 a.m.
LOCATION: Room 2925, Rhodes State Office Tower
30 East Broad St., Columbus, Ohio 43215

Pursuant to section 5111.02 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the amendment and adoption of the rules as identified below and of a public hearing thereon.

The OAC Chapter 5101:3-33 dealing with the Assisted Living Services HCBS Waiver program is being created. Ohio will begin operation of a Home and Community Based Services Waiver on July 1, 2006 and these rules are being promulgated to outline the waiver eligibility, enrollment, providers, services, rates and rate setting methodology. This waiver will be operated by the Ohio Department of Aging through an interagency agreement with the Ohio Department of Job and Family Services as authorized by ORC Section 5111.91. The Ohio Department of Aging has authority under ORC 173-391 to certify providers and define services delivered in the Aging Network and has promulgated rules regarding provider certification and service specifications in Chapter 173-39 of the OAC.

The following rules are being proposed:

- 5101:3-1-06.5, Home and Community Based Service Waivers: Assisted Living - this rule establishes the rates for Assisted Living Services and identifies those rates in Appendix A.
- 5101:3-33-02, Definitions for the Assisted Living HCBS Waiver – defines various terms used in the chapter.
- 5101:3-33-03, Eligibility for enrollment for the Assisted Living HCBS Waiver – outlines the eligibility criteria and explains when a consumer may be denied enrollment, disenrolled from the program, and provides hearing rights when those actions are taken.
- 5101:3-33-04, Enrollment process for the Assisted Living HCBS Medicaid Waiver Program – identifies the process for enrollment in the Assisted Living HCBS waiver and explains hearing rights.

- 5101:3-33-05, Provider Conditions of Participation – requires providers to be certified by ODA in order to qualify as a Medicaid provider for Assisted Living HCBS Waiver Services.
- 5101:3-33-06, Assisted Living HCBS Waiver Covered Services – identifies services covered by Medicaid in the Assisted Living HCBS Waiver and references the ODA rules defining those services.
- 5101:3-33-07, Assisted Living HCBS Waiver Rate Setting – this rule outlines the methodology for determining provider rates for services under the waiver.

Copies of the proposed rules are 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, 31st Floor, Columbus, Ohio 43215, by fax at (614) 752-8298, or by e-mail at legal@odjfs.state.oh.us. Comments received may be reviewed at this address.