

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

DATE: November 9, 2009
TIME: 1:00 PM
LOCATION: Vern Riffe Center, 77 South High Street, Room 1948,
Columbus, Ohio 43215

Pursuant to section 5111.02 and Chapter 119. of the Ohio Revised Code and 42 C.F.R. 447.205, the director of the Department of Job and Family Services gives notice of the Department's intent to consider the amendment of the rules and of a public hearing thereon. These rules are being amended to attain cost savings prescribed in Amended Substitute House Bill 1, Section 309.30.75. That section requires the Department to reduce the reimbursement rates for specified Medicaid providers to result in an amount that is at least, in the aggregate, three per cent lower than the rates in effect on December 31, 2009. Other changes are being made to the rules as identified below.

In contemplating the impact of this budget initiative, the Department analyzed provider rates and types of services rendered to ensure that access to quality health care is maintained for all Medicaid consumers. The Department also sought input from affected stakeholders. For many services, including the services discussed herein, the Department's analysis and the stakeholder input have resulted in a proposed three per cent reduction in maximum reimbursement rates. However, the Department has determined that a three per cent reduction is not appropriate for certain other services, and other adjustments have been made to arrive at the aggregate savings for dates of service on and after January 1, 2010.

The Department estimates the changes being implemented by rules 5101:3-46-06, 5101:3-47-06 and 5101:3-50-06, discussed herein will decrease annual aggregate Medicaid expenditures by approximately \$11.7 million. The Department believes that the proposed changes to provider maximum payment rates will not hinder the ability of Medicaid consumers to access quality care and services, because the rates will still be sufficient to enlist sufficient providers to serve these consumers.

Rule 5101:3-46-06, entitled Ohio Home Care Waiver Program: Reimbursement Rates and Billing Procedures, is being amended to decrease the Medicaid maximum rate of reimbursement for certain Ohio Home Care Waiver services by three percent effective January 1, 2010. The changes include the following: Waiver nursing provided by either a registered nurse or licensed practical nurse shall be reimbursed \$54.95 for the first hour and \$5.69 for each fifteen minute unit thereafter; personal care aide services shall be reimbursed \$23.98 for the first hour and \$3.00 for each fifteen minute unit thereafter; out of home respite shall be reimbursed \$199.82 per day; supplemental transportation services shall be reimbursed \$0.38 per mile; adult day health center services shall be reimbursed \$32.48 per half-day and \$64.94 per full day; emergency response services shall be reimbursed \$44.96 per installation and testing and \$44.96 for monthly usage; and home delivered meal services shall be reimbursed \$6.99 per meal. There are no

additional changes in methods and standards. This rule is also being amended to remove references to rescinded Ohio Administrative Code rules. The department estimates these changes will decrease annual aggregate Medicaid expenditures by approximately \$7,970,907.

Rule 5101:3-47-06, entitled Transitions MR/DD Waiver Program: Reimbursement Rates and Billing Procedures, is being amended to decrease the Medicaid maximum rate of reimbursement for Transitions MR/DD Waiver services by three percent effective January 1, 2010. The changes include the following: Waiver nursing provided by either a registered nurse or licensed practical nurse shall be reimbursed \$54.95 for the first hour and \$5.69 for each fifteen minute unit thereafter; personal care aide services shall be reimbursed \$23.98 for the first hour and \$3.00 for each fifteen minute unit thereafter; out of home respite shall be reimbursed \$199.82 per day; supplemental transportation services shall be reimbursed \$0.38 per mile; adult day health center services shall be reimbursed \$32.48 per half-day and \$64.94 per full day; emergency response services shall be reimbursed \$44.96 per installation and testing and \$44.96 for monthly usage; and home delivered meal services shall be reimbursed \$6.99 per meal. There are no additional changes in methods and standards. This rule is also being amended to remove references to rescinded Ohio Administrative Code rules. The department estimates these changes will decrease annual aggregate Medicaid expenditures by approximately \$2,214,421.

5101:3-50-06, entitled Transitions Carve-Out Waiver Program: Reimbursement Rates and Billing Procedures, is being amended to decrease the Medicaid maximum rate of reimbursement for Transitions Carve-Out Waiver services by three percent effective January 1, 2010. The changes include the following: Waiver nursing provided by either a registered nurse or licensed practical nurse shall be reimbursed \$54.95 for the first hour and \$5.69 for each fifteen minute unit thereafter; personal care aide services shall be reimbursed \$23.98 for the first hour and \$3.00 for each fifteen minute unit thereafter; out of home respite shall be reimbursed \$199.82 per day; supplemental transportation services shall be reimbursed \$0.38 per mile; adult day health center services shall be reimbursed \$32.48 per half-day and \$64.94 per full day; emergency response services shall be reimbursed \$44.96 per installation and testing and \$44.96 for monthly usage; and home delivered meal services shall be reimbursed \$6.99 per meal. There are no additional changes in methods and standards. This rule is also being amended to remove references to rescinded Ohio Administrative Code rules. The department estimates these changes will decrease annual aggregate Medicaid expenditures by approximately \$1,554,369.

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, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov. Comments received may be reviewed at this address.