

**PUBLIC HEARING NOTICE**  
**OHIO DEPARTMENT OF MEDICAID**

**DATE:** May 15, 2015  
**TIME:** 12:00 PM  
**LOCATION:** 50 West Town St., Room A501  
Columbus, Ohio 43215

Pursuant to sections 5162.03, 5164.70, 5164.77 and 5166.02 and Chapter 119 of the Ohio Revised Code, the director of the Department of Medicaid (ODM) gives notice of the department's intent to consider the amendment of the rules as identified below and of a public hearing thereon.

**OAC Rule 5160-46-04**, entitled **Ohio Home Care Waiver: Definitions of Covered Services and Provider Requirements and Specifications**, is being proposed for amendment. It sets forth the service specifications and provider requirements for services provided under the Ohio Home Care Waiver. Paragraph (A) is being amended to identify those nursing tasks that shall only be performed by a registered nurse (RN). Further, it clarifies that waiver nursing does not include visits performed for the purpose of conducting an RN assessment or an RN consultation as those services are described in OAC rule 5160-12-08. Additionally, Ohio Revised Code (ORC) and OAC cites have been updated, references to the Ohio Department of Job and Family Services have been changed to the Ohio Department of Medicaid, terms of art have been updated (i.e., consumer is now individual, etc.), and Code of Federal Regulation cites have been updated. No substantive changes are being made to the rest of the rule pending five-year review in 2015. It is being amended in order to provide clarification about the waiver nursing service available under the Ohio Home Care Waiver Program and to update terminology and citations referred to in the rule.

**OAC Rule 5160-46-06**, **Ohio Home Care Waiver Program: Reimbursement Rates and Billing Procedures**, sets forth the reimbursement rates and billing procedures for the Ohio Home Care Waiver. It is being amended to establish a new rate setting methodology and reimbursement rates for waiver nursing and personal care aide services provided by agency and non-agency providers.

A copy of each of the proposed rules is available at the address listed below and without charge, to any person affected by the rules and at the county department of job and family services. The proposed 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 Medicaid, Office of Legal Counsel, 50 West Town Street, 4<sup>th</sup> Floor, Columbus, Ohio 43218, by fax at (614) 752-3986, or by e-mail at [rules@medicaid.ohio.gov](mailto:rules@medicaid.ohio.gov). Comments received may be reviewed upon request.