

**Department of Medicaid****John R. Kasich**, Governor**John B. McCarthy**, Director

**LEGAL NOTICE
STATE OF OHIO
OHIO DEPARTMENT OF MEDICAID
COLUMBUS, OHIO**

DATE: March 4th, 2016
TIME: 11:00am
LOCATION: Room A501, Lazarus Building
50 W. Town St., Columbus, Ohio 43215

Pursuant to section 5164.02 and Chapter 119 of the Ohio Revised Code, the Director of the Ohio Department of Medicaid (ODM) gives notice of ODM's intent to adopt, amend or rescind the rules identified below and of a public hearing thereon.

Rule 5160-1-29, entitled Medicaid fraud, waste, and abuse, provides Ohio Department of Medicaid definitions and examples of fraud, waste, and abuse and describes ODM's program to detect, prevent, and address fraud, waste, and abuse. The rule is being reviewed as part of the five year rule review and is being amended to update definitions, remove unnecessary language, and add clarifying language. The proposed rule also expands examples of provider fraud, waste, and abuse within the rule by including actions that would constitute violations of the federal False Claims Act, misrepresentation on revalidation applications, provider agreements or any documentation supplied by the provider to the department, billing for services outside a provider's scope of practice, and misrepresentation regarding the provider of services. The rule is being updated to reflect the change of authority of the Ohio Medicaid program from the Ohio Department of Job and Family Services (ODJFS) to ODM. Rule references within this rule are also being updated to reflect the change in agency number.

A public hearing on the proposed rule will be held at the date, time, and location listed at the top of this notice. Both written and 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.

A copy of the proposed rule is available, without charge, to any person affected by the rule at the address listed below. The rule is also available on the internet at <http://www.registerofohio.state.oh.us/>.

50 W. Town Street, Suite 400
Columbus, Ohio 43215
medicaid.ohio.gov

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Requests for a copy of the proposed rule and testimony on the rule should be submitted by mail to the Ohio Department of Medicaid Rule Administrator, Office of Chief Legal Counsel, 50 W. Town Street, Suite 400, Columbus, Ohio 43215-3414, by fax at (614)995-1301, or by e-mail at Rules@Medicaid.Ohio.gov. Testimony received may be reviewed at this address.