

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID**

DATE: May 15, 2017

TIME: 11:00 A.M.

LOCATION: Multi-Purpose Room, Rhodes State Office Tower, 30 E. Broad Street,
Columbus, Ohio 43215

Pursuant to section 5164.02 of the Ohio Revised Code, the Director of the Ohio Department of Medicaid (ODM) gives notice of the Department's intent to consider the rescission of the following Ohio Administrative Code rules: 5160-27-01, 5160-27-02, 5160-27-05, 5160-30-01, 5160-30-02, 5160-30-03, 5160-30-04, and 5160-30-06. ODM also gives notice of the Department's intent to consider the adoption as new of the following Ohio Administrative Code rules: 5160-27-01, 5160-27-02, 5160-27-03, 5160-27-04, 5160-27-05, 5160-27-06, 5160-27-08, 5160-27-09, 5160-27-10, 5160-27-11, and 5160-27-12 on a permanent basis and of a public hearing thereon.

This rule package implements comprehensive reform of the Medicaid benefit for mental health and substance use disorder treatment services. The initiative supported by this rule package is anecdotally known as "Behavioral Health Redesign." Behavioral Health Redesign is a jointly sponsored project of ODM, the Ohio Department of Mental Health and Addiction Services, and the Governor's Office of Health Transformation. The fundamental goals are to modernize Ohio's Medicaid behavioral health services and prepare Ohio's behavioral health provider network for integration into Medicaid managed care. Extensive information about this initiative can be found at bh.medicaid.ohio.gov.

Proposed rescinded rules:

Ohio Administrative Code rule 5160-27-01 "Eligible providers for community mental health services" states who may provide and bill medicaid for rendered community mental health services.

Ohio Administrative Code rule 5160-27-02 "Coverage and limitations of medicaid community mental health services" lists service provision limits, non-reimbursable activities, and restrictions regarding the provision of services by video conferencing.

Ohio Administrative Code rule 5160-27-05 "Reimbursement of community mental health medicaid services" states the reimbursement methodology for selected mental health services as well as health home services.

Ohio Administrative Code rule 5160-30-01 "Eligible provider for alcohol and other drug treatment services" states who may provide and bill ODM for rendered community alcohol and drug treatment services.

Ohio Administrative Code rule 5160-30-02 "Coverage and limitation policies for alcohol and other drug treatment services" lists medications and services for which ODM will provide reimbursement.

Ohio Administrative Code rule 5160-30-03 “Billable services” states the requirements for the provision of alcohol and drug treatment services that will be reimbursed by ODM.

Ohio Administrative Code rule 5160-30-04 “Reimbursement for community medicaid alcohol and other drug treatment services” states the reimbursement methodology for selected alcohol and drug treatment services.

Proposed new rules:

Ohio Administrative Code rule 5160-27-01 “Eligible provider for behavioral health services” defines and describes the eligible providers that can provide the behavioral health services defined in Chapter 5160-27 of the Administrative Code. Licensing and other requirements, as applicable, are stated.

Ohio Administrative Code rule 5160-27-02 “Coverage and limitations of behavioral health services” describes, as applicable, any service provision limits and medicaid coverage requirements, such as medical necessity. Options to exceed service provision limits through an approved prior authorization are also presented.

Ohio Administrative Code rule 5160-27-03 “Reimbursement for community behavioral health services” describes the Medicaid reimbursement policies for the behavioral health services defined in Chapter 5160-27 of the Administrative Code. Individual service reimbursement rates are located in Appendix DD of rule 5160-1-60 of the Administrative Code.

Ohio Administrative Code rule 5160-27-04 “Mental health assertive community treatment service” describes an evidence-based practice that Medicaid will cover for the first time. The rule also defines the criteria for receiving this service as well as requirements that providers must meet in order to render the service.

Ohio Administrative Code rule 5160-27-05 “Mental health intensive home based service” describes a service for which Medicaid will cover for the first time. The rule also defines the criteria for receiving the service as well as requirements that providers must meet in order to render the service.

Ohio Administrative Code rule 5160-27-06 “Mental health day treatment” describes a new service for which Medicaid will cover for the first time. The rule also states eligible providers of the service, service provision limitations and billing requirements.

Ohio Administrative Code rule 5160-27-08 “Mental health therapeutic behavioral services and psychosocial rehabilitation” describes two new services for which Medicaid will cover for the first time. The rule also states service provision limitations and the eligible providers for the two services.

Ohio Administrative Code rule 5160-27-09 “Substance use disorder treatment services” describes new services for which Medicaid will cover for the first time and how the

services are structured under the American Society of Addiction Medicine levels of care criteria. The rule also states service provision limitations and residential staffing requirements.

Ohio Administrative Code rule 5160-27-10 “Substance use disorder targeted case management” describes the activities that make up this service. The rule also states the eligible providers of the service and service provision limitations.

Ohio Administrative Code rule 5160-27-11 “Behavioral health nursing services” describes nursing services for which Medicaid will cover. The rule also states the eligible providers of behavioral health nursing services and describes service provision limitations.

Ohio Administrative Code rule 5160-27-12 “Behavioral health crisis intervention provided by unlicensed practitioners” describes the activities that make up this service. The rule also states the eligible providers of the service and service provision limitations.

A public hearing on the proposed rules 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. Written testimony submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Any person affected by these rules may examine them and obtain a copy, without charge, at the following locations:

Ohio Department of Medicaid, 50 West Town Street, Fourth Floor, Columbus, Ohio 43215;

Any county department of job and family services; or

On the internet at <http://www.registerofohio.state.oh.us/>.

Testimony on the proposed rules may also be reviewed at the Ohio Department of Medicaid, 50 West Town Street, Fourth Floor, Columbus, Ohio 43215.

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