

**PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF MEDICAID**

**DATE:** November 17<sup>th</sup>, 2017  
**TIME:** 11:00AM  
**LOCATION:** Lobby Hearing Room, Rhodes State Office Tower  
30 E. Broad St., Columbus, Ohio 43215

Pursuant to sections 5160.34, 5162.031, 5162.20, and 5164.02 and Chapter 119 of the Ohio Revised Code, the Director of the Ohio Department of Medicaid (ODM) gives notice of the Department's intent to consider the adoption and amendment to the the rules identified below and of a public hearing thereon.

Rule 5160-1-40, entitled Electronic Visit Verification (EVV), provides definitions of terminology unique to the EVV implementation, specifies services subject to EVV requirements, establishes operational requirements for providers of those services and outlines the regulatory foundation for using an alternate data collection component from what is provided by the Department. This rule also outlines provider training requirements as determined by the Department and reasons for provider termination for non-compliance.

Rule 5160-12-04, entitled Home health and private duty nursing: visit policy, is being updated to incorporate changes made in accordance with rule 5160-1-40 of the Administrative Code to implement ODM-approved electronic visit verification (EVV) system. This rule sets forth the visit requirements for home health and private duty nursing providers. The amendment proposed to this rule is contained in paragraph (A) to require the home health and private duty visits to be verified using an ODM-approved EVV system in accordance with rule 5160-1-40 of the Administrative Code.

Rule 5160-12-08, entitled Registered nurse assessment and registered nurse consultation services is being updated to incorporate changes made accordance with rule 5160-1-40 of the Administrative Code to implement an ODM-approved electronic visit verification (EVV) system. This rule sets forth provisions for RN Assessment and the RN Consultation service. The amendment proposed to this rule adds paragraph (B)(7) to require that the RN assessment visit be verified using an ODM-approved electronic visit verification (EVV) system in accordance with rule 5160-1-40 of the Administrative Code.

Rule 5160-45-10, entitled OMD-administered waiver programs: Provider conditions of participation is being amended to update Ohio Department of Medicaid (ODM) -administered waiver program provider conditions of participation. Rule changes serve to implement an Electronic Visit Verification (EVV) initiative for selected home and community based services as will be set forth in Chapter 5160-1 of the Administrative Code.

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/>.

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](mailto:Rules@Medicaid.Ohio.gov). Testimony received may be reviewed at this address.