

**PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF MEDICAID**

**DATE:** January 9, 2020  
**TIME:** 11:30 a.m.  
**LOCATION:** Room A501 Lazarus Building  
50 W. Town St., Columbus, OH 43215

Pursuant to section 5165.02 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Medicaid (department) gives notice of the department's intent to consider the adoption, amendment, or rescission of the rule or rules as identified below and of a public hearing thereon.

Proposed for Rescission

Rule 5160-3-20 entitled "Nursing facilities (NFs) and state operated intermediate care facilities for individuals with intellectual disabilities (ICFs-IID): medicaid cost report filing, disclosure requirements, and records retention" sets forth the Medicaid cost report filing, disclosure requirement, and records retention provisions for nursing facilities and state operated intermediate care facilities for individuals with intellectual disabilities. This rule was reviewed pursuant to a five-year rule review. As a result of that review, this rule is being proposed for rescission, and is being replaced by new rule 5160-3-20.

Proposed for Adoption

Rule 5160-3-20 entitled "Nursing facilities (NFs): medicaid cost report filing, disclosure requirements, and records retention" sets forth the Medicaid cost report filing, disclosure requirement, and records retention provisions for nursing facilities. This rule replaces 5160-3-20, which is being proposed for rescission. The differences between this rule and rescinded rule 5160-3-20 are:

1. References to and provisions for state operated intermediate care facilities for individuals with intellectual disabilities (ICFs-IID) are being removed because provisions for state operated ICFs-IID are addressed in a separate rule of the Ohio Administrative Code.
2. A new opening paragraph is being added to incorporate Revised Code sections 5165.10 through 5165.109 into this rule.
3. Provisions that are contained in the Revised Code are being deleted to avoid duplication of regulations.
4. Provisions that are obsolete are being deleted.
5. The description of a desk review is being streamlined to more accurately reflect the process.
6. Numerous provisions are being moved for purposes of reorganization and enhanced readability.
7. The dates cited for Title XVIII, Title XIX, and Title XX of the Social Security Act are being updated to comply with the Joint Committee on Agency Rule Review (JCARR) rule filing requirements.
8. Phrasing and grammatical changes are being made to improve clarity and readability.
9. Paragraph references are being updated as necessary.

A copy of the proposed rules is available, without charge, to any person at the address listed below. 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. 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.

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 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.