

**PUBLIC HEARING NOTICE  
OHIO DEPARTMENT OF MEDICAID**

DATE: NOVEMBER 8, 2021

TIME: 11:30 A.M.

TELECONFERENCE DIAL-IN PHONE NUMBER: 614-721-2972

TELECONFERENCE PIN: 60183098#

LINK TO MICROSOFT TEAMS MEETING FOR HEARING: [CLICK HERE TO JOIN THE MEETING](#)

IN-PERSON LOCATION: 50 W. TOWN STREET, ROOM A501, COLUMBUS, OHIO 43215

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

In response to fluctuations in costs during the COVID-19 PHE, the Ohio Department of Medicaid (ODM) adopted emergency rule 5160-28-12, "Establishment of a Per-Visit Payment Amount (PVPA) Derived from a Cost Report Submitted by a Federally Qualified Health Center (FQHC) or Rural Health Clinic (RHC) Site Affected by a Public Health Emergency (PHE) Declaration."

ODM is proposing adoption of rule 5160-28-12 upon expiration of the emergency rule to continue to allow a change to the time period of a cost report from which PVPAs are derived during any future PHEs. Without cost reporting flexibilities, the potential impact to an affected FQHC or RHC is a permanent PVPA being set that does not reflect the costs of the FQHC or RHC during a non-PHE period.

ODM will hold the public hearing for this rule package via teleconference and in-person. All in-person attendees are required to follow ODM health and safety protocols, including temperature checks, wearing a face mask, and practicing social distancing when inside the ODM office. The date and time for the public hearing are listed at the top of this Notice as well as the phone number, PIN (access code), and link for teleconference attendance, and location for in-person attendance.

All interested parties are invited to participate in the public hearing. Both oral and written testimony will be accepted for this hearing and will be given the same consideration. Persons who want to give oral testimony are asked to send a message by e-mail to [Rules@medicaid.ohio.gov](mailto:Rules@medicaid.ohio.gov) no later than one hour before the hearing to be added to the witness list. There will be a final call at the end of the hearing for persons who wish to offer oral testimony but do not yet appear on the witness list.

Written comments submitted by e-mail, postal mail, or fax that are received or postmarked no later than the day of the hearing will be accepted as testimony and will become part of the hearing record. All testimony will become public record; therefore, ODM asks that protected health information (PHI) be excluded unless the information belongs to the person submitting the testimony or to a person for which the submitter is a legal guardian. Written testimony sent by e-mail is highly recommended. All persons who submit testimony by e-mail will be sent a confirmation of receipt.

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

Requests for a copy of the proposed rule or comments on the rule may be submitted to ODM in any of the following ways:

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).