

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID**

DATE: October 20, 2025

TIME: 11:00am

Teleconference Dial-in Phone Number: 614-721-2972

Teleconference Pin: 249240358#

Link to Microsoft Teams Meeting for Hearing: [Join the meeting now](#)

In-Person Location: Ohio Department of Medicaid (ODM) 50 W. Town St., Suite 400
Columbus, OH 43215, Room A401

Pursuant to Chapter 119. and section 5166.02 of the Revised Code, the Director of the Ohio Department of Medicaid (ODM) gives notice of ODM's intent to consider the amendment of the rules identified below and of a public hearing thereon.

Rule 5160-45-06, entitled "Ohio department of Medicaid (ODM) -administered waiver program: structural reviews of providers and investigation of provider occurrences," sets forth the process and requirements for conducting structural reviews of ODM-administered waiver service providers to ensure providers' compliance with ODM-administered waiver requirements. The rule is being proposed for amendment as part of a five-year rule review.

Rule 5160-45-07, entitled "ODM-administered waiver programs: criminal records checks involving agency providers," sets forth the process and requirements for the criminal records check requirements for agency providers of the ODM-administered waiver program services. The rule is being proposed for amendment as part of a five-year rule review.

The proposed changes are:

- To add subcontractors as applicable entities requiring a criminal records check.
- To add definitions used in rule.

Rule 5160-45-08, entitled "ODM-administered waiver programs: criminal records checks involving independent providers," sets forth the process and requirements for the criminal records check requirements for independent providers of the ODM-administered waiver program services. The rule is being proposed for amendment as part of a five-year rule review.

The proposed changes are:

- To remove a definition no longer applicable.

Rule 5160-45-09, entitled "ODM-administered waiver program: program compliance, monitoring and oversight of ODM-administered waiver service providers and ODM-administered waiver program contractors," sets forth the guidelines for monitoring and oversight to be conducted by ODM and its designees, including the provider oversight contractor; requirements with which providers and contractors must comply as part of the monitoring and oversight process; and ODM sanctioning and enforcement authority. The rule is being proposed for amendment as part of a five-year rule review.

Rule 5160-45-11, entitled “ODM-administered waiver programs: exclusionary periods for disqualifying offenses; certificates; and pardons,” sets forth a tiered system of exclusionary periods for disqualifying offenses. The periods range from five years to permanent exclusion depending upon the type and number of offenses. The rule also sets forth policy regarding conditions under which certain offenders may be able to provide services including pardons, a Certificate of Qualification for Employment issued pursuant to Section 2953.25 of the Revised Code; or a Certificate of Achievement and Employability in an HCBS-related field, issued by the Ohio Department of Rehabilitation and Corrections pursuant to Section 2961.22 of the Revised Code. The rule is being proposed for amendment as part of a five-year rule review.

The following changes are proposed:

- To add subcontractors as applicable entities requiring a criminal records check.

ODM will hold the public hearing for this rule package via teleconference and in-person. ODM will not require masks for individuals attending in person. However, visitors are welcome to wear masks if that is their preference. The date and time for the public hearing are listed at the top of this Notice as well as the phone number, PIN, 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 no later than one hour before the hearing to be added to the witness list. Those attending in person can be added to the witness list at the hearing. There will be a final call at the end of the hearing for persons who wish to offer oral testimony but are not yet on the witness list.

Written comments submitted in-person, 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 rules are 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/>. 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.

ODM is committed to providing access and inclusion and reasonable accommodation in its services, activities, programs, and employment opportunities in accordance with the Americans with Disabilities Act (ADA), Title VI of the Civil Rights Act, Section 1557 of the Affordable Care Act, and other applicable laws. To request an interpreter, written information in a language other than English or in other formats (braille, large print, audio, accessible electronic formats, other formats), or a reasonable accommodation due to a disability, please contact ODM's Civil Rights/ADA Coordinator at 614-995-9981/TTY 711, Fax 1-614-644-1434, or Email: ODM_EEO_EmployeeRelations@medicaid.ohio.gov. Requests should be made at least three (3)

business days prior to the scheduled hearing. If you believe ODM has failed to provide these services or discriminated in another way, you can file a grievance with ODM's Civil Rights Coordinator or Section 1557 Coordinator and/or file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights. Further information on these processes and ODM's compliance with civil rights and other applicable laws can be found here: [Notice of Nondiscrimination](#).