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Hearing Date: 7/10/2017

Today's Date: 3/22/2018

Agency: Ohio Dept. of Aging

Rule Number(s): 173-39-02.7

If no comments at the hearing, please check the box. ☐

List organizations or individuals giving or submitting testimony before, during or after the public hearing and indicate the rule number(s) in question.

1. Ohio Association of Medical Equipment Suppliers (OAMES)

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Hearing Summary Report

Consolidated Summary of Comments Received

Please review all comments received and complete a consolidated summary paragraph of the comments and indicate the rule number(s).

OAMES asked ODA to adopt language similar to that in the Medicaid state plan rules, which allows providers who deliver medical equipment and supplies via a common carrier (e.g., UPS) to use the common carrier's tracking system to verify deliveries.

Hearing Summary Report

Incorporated Comments into Rule(s)

Indicate how comments received during the hearing process were incorporated into the rule(s). If no comments were incorporated, explain why not.

On March 5, 2018, ODA refiled this rule.

In response to public hearing testimony submitted by OAMES, ODA collaborated with ODM to develop new language to be used in Medicaid state plan rules, ODM Medicaid waiver rules, and this ODA rule. The new language is a favorable response to the request from OAMES to align rule language between programs and for that language to allow providers who deliver by common carriers to verify the success of deliveries with tracking records produced by common carriers.

At a meeting with OAMES after the public hearing, ODA expressed its concern that packages can be stolen from porches before individuals bring them into their homes. ODA proposed requiring providers who use common carriers to deliver to replace any items not received by the individual if stolen from the porch. Members of OAMES said this would not be a problematic requirement. Therefore, ODA proposes to require it.

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