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Hearing Date: 5/16/2022

Today's Date: 6/6/2022

Agency: Ohio Department of Medicaid

Rule Number(s): 5160-1-31 (new and rescind)

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. Melissa Myers, Cleveland Clinic

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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).

Cleveland Clinic was concerned that the department's transition to all electronic prior authorization (PA) submission would not be able to accommodate their needs due to file size limitations or system outage concerns. They proposed allowing paper submission to address this concern. The hospital also requested that language be amended to specifically provide a means where all PA requests that were not secured prior to the service being rendered would be considered by the department. Lastly, the hospital requested that the provider appeal provisions be amended to include retrospective PA as an option for appeal.

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.

After further research and deliberation, the department determined that none of the comments from Cleveland Clinic could be incorporated into the rule language. Due to ORC 5160.34 PA request requirements, the department is unable to allow paper request submission and remain in compliance with state law. As for the concerns concerning the file size limitations and system outages, the department has worked with our vendor to add file compression options that greatly increase the file sizes that can be accepted. Furthermore, the department has reached out to the Cleveland Clinic to request examples of this issue to trouble shoot any problems not addressed by the compression technology. As for the concern regarding retrospective PA request reviews, the department is not changing our policy from what it is today. In instances where obtaining prior authorization puts the health of the recipient in danger, the department will continue to approve these retrospective authorization requests on a case by case basis. Lastly, the new exemption from obtaining prior authorization before rendering a service based on department determination was expressly added to handle situations such as system outages or other exceptional situations.