



Hearing Summary Report

Hearing Date: 11/21/2023

Today's Date: 12/01/2023

Rule Numbers:

Amend: 5123-9-06, 5123-9-13, 5123-9-14, 5123-9-15, 5123-9-16, 5123-9-17, 5123-9-18,
5123-9-19, 5123-9-20, 5123-9-21, 5123-9-22, 5123-9-24, 5123-9-26, 5123-9-29,
5123-9-35, 5123-9-37, 5123-9-39, 5123-9-40

Rescind: 5123-9-05

If no comments at hearing, please check the box.

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

Harris Capps (5123-9-13)

Kim Kelly (5123-9-39)

Scott Runyon (rules generally)

Christine Touvelle, Director of Advocacy, Ohio Provider Resource Association
(rules generally, 5123-9-05, and 5123-9-18)

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).

Rules Generally: Scott Runyon expressed concern that increasing payment rates for Independent Providers of Home and Community-Based Services would result in Independent

Providers earning more than some Service and Support Administrators employed by county boards of developmental disabilities.

Rules Generally: Christine Touvelle expressed gratitude to Governor DeWine, Ohio's General Assembly, county boards of developmental disabilities, and the Department for increasing payment rates for providers of Home and Community-Based Services.

5123-9-05: Christine Touvelle expressed gratitude to county boards of developmental disabilities for making the Direct Support Professional retention payments available.

5123-9-13: Harris Capps suggested specific revisions to the Career Planning service and addition of wording to specify that a parent or guardian will make decisions for an individual who lacks capacity to make his or her own decisions.

5123-9-18: Christine Touvelle asked the Department to be flexible if a new payment rate for transporting individuals to and from competitive integrated employment (planned for July 2024) is delayed.

5123-9-39: Kim Kelly suggested rule 5123-9-39 should align with Ohio Department of Medicaid rule 5160-12-01 (Home health services: provision requirements, coverage and service specification) and permit physician assistants and advanced practice nurses to authorize plans of care.

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.

The Department revised rule 5123-9-39 in accordance with the suggestion from Kim Kelly.