



# Common Sense Initiative

Mike DeWine, *Governor*  
Jon Husted, *Lt. Governor*

Joseph Baker, *Director*

## MEMORANDUM

**TO:** Tommi Potter, Ohio Department of Medicaid

**FROM:** Jacob Ritzenthaler, Business Advocate

**DATE:** October 16, 2023

**RE:** **CSI Review – OhioRISE Care Coordination (OAC 5160-59-03.2)**

On behalf of Lt. Governor Jon Husted, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Department as provided for in ORC 107.54.

### Analysis

This rule package consists of one amended rule proposed by the Ohio Department of Medicaid (ODM). This rule package was submitted to the CSI Office on September 20, 2023, and the public comment period was held open through September 27, 2023. Unless otherwise noted below, this recommendation reflects the version of the proposed rule filed with the CSI Office on September 20, 2023.

Ohio Administrative Code 5160-59-03.2 establishes requirements related to the Ohio Resilience through Integrated Systems and Excellence (OhioRISE) program. The rule requires that OhioRISE plans assign a care coordination tier for all eligible youth and is amended to remove or update timelines identified by ODM to be restrictive, including those for completing readiness reviews, supplemental assessments, and child and adolescent needs and strengths assessments. Rule language has also been updated to make technical corrections. The rule also includes an appendix that establishes the fee schedule for OhioRISE care coordination services and is amended to update effective dates and fees for services.

During early stakeholder outreach, ODM reviewed the proposed rule during meetings of the OhioRISE Advisory Council and associated workgroups. During that time, industry stakeholders

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suggested changes to the rule that would increase flexibility for the regulated businesses by adjusting timeframes for the completion of certain actions. During the CSI public comment period, ODM received comments from Cincinnati Children's HealthVine, Integrated Services for Behavioral Health, and the Ohio Council for Behavioral Health. Two stakeholders suggested implementing additional time for engaging the family of a referred youth, citing the fluctuating volume of referrals and workforce recruitment as factors that hinder the ability to engage within two business days. ODM did not make changes based on this suggestion, stating that the health care needs of children necessitate engagement within two business days. Stakeholders also suggested changes that would amend the experience requirements for service coordinators to require one year of experience within the field for providers with a bachelor's degree. ODM did not make changes based on this comment, stating that the rule already includes a pathway for those who do not meet the experience requirements to begin working with increased training and oversight from their employer. Stakeholders also suggested further assessing the rate methodology for services. ODM did not make these changes, stating that the rates have already been increased to reflect increases for behavioral health services in the state budget.

The business community impacted by the rule includes the OhioRISE plan (Aetna Better Health of Ohio), managed care organizations that contract with ODM, and behavioral health service providers. The adverse impacts created by the rule include requirements for entities to conduct care coordination activities, which can include readiness reviews and needs assessments, incident reports, and planning for service provision. ODM states that the adverse impacts created by the rule are necessary to ensure the safety of participants and the integrity of the OhioRISE program.

### **Recommendations**

Based on the information above, the CSI Office has no recommendations on this rule package.

### **Conclusion**

The CSI Office concludes that ODM should proceed in filing the proposed rule with the Joint Committee on Agency Rule Review.