



Common Sense Initiative

Mike DeWine, *Governor*
Jim Tressel, *Lt. Governor*

Joseph Baker, *Director*

MEMORANDUM

TO: Tommi Potter, Ohio Department of Medicaid

FROM: Jacob Ritzenthaler, Business Advocate

DATE: September 19, 2025

RE: **CSI Review – Comprehensive Primary Care Program (OAC 5160-19-01 and 5160-19-02)**

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 two amended rules proposed by the Ohio Department of Medicaid (ODM). This rule package was submitted to the CSI Office on August 19, 2025, and the public comment period was held open through August 26, 2025. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on August 19, 2025.

The rules in this package help establish requirements concerning the Comprehensive Primary Care (CPC) Program, which utilizes patient centered medical home models to emphasize primary care, as well as the efficient delivery of services. Ohio Administrative Code (OAC) 5160-19-01 sets forth requirements for eligible providers, including relevant definitions, a list of eligible providers, eligibility requirements for enrolling in and providing services through the CPC program and CPC for Kids program, and requirements for the submission of efficiency and quality metrics. The rule

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includes amendments that reorganize rule content, include and update definitions, and require that CPC entities meet all provisions as of January 1 of the program year. Rule modifications also require CPC entity participation in learning activities, data sharing, and outreach. OAC 5160-19-02 establishes requirements for CPC payments and is amended to update expenditure risk tier determination and allow ODM to recoup payments if a CPC entity has failed to meet program provisions.

During early stakeholder outreach, ODM sent the proposed rules to industry stakeholders, including all managed care organizations. In response to comments received during that time, ODM provided clarification regarding the circumstances of ODM recoupment of payments, shared savings agreements, and examples of continuous quality improvements. During the CSI public comment period, ODM received one comment that recommended shared savings earned via CPC/CPC for Kids should not be deducted from or offset against shared savings agreements that MCOs may have with external value-based care networks. ODM responded and assured CSI during a subsequent discussion that the process for evaluating shared savings agreements has already begun for a future review of the rules.

The business community impacted by the rules includes all providers enrolled in the Medicaid fee-for service program, MCOs, and providers contracted with MCOs. Adverse impacts created by the rules include reporting information, completing applications, maintaining eligible individuals, and meeting efficiency and clinical quality metrics. ODM notes that many of the expenses related to metric achievement would be more expensive for new program participants, as providers who have previously participated will have the metrics incorporated. ODM states that the adverse impacts created by the rules are necessary to receive incentives and shared savings bonus payments, as well as achieving improved health outcomes for individuals and children.

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 rules with the Joint Committee on Agency Rule Review.