

PUBLIC HEARING NOTICE

OHIO DEPARTMENT OF MEDICAID

DATE: Monday, May 16, 2022

TIME: 10:00 a.m.

Teleconference Phone Number: 1-614-721-2972

Teleconference Pin: 916211497#

Link to Microsoft Teams Meeting for Hearing: [Click here to join the meeting](#)

Pursuant to Chapter 119. and section 5164.02 of the Revised Code, the Director of the Ohio Department of Medicaid (ODM) gives notice of ODM's intent to consider the adoption, amendment, or rescission of the rule identified below and of a public hearing thereon.

Ohio Administrative Code rule 5160-1-20, entitled, "Electronic data interchange (EDI) trading partner enrollment and testing" is being proposed for rescission as more than 50% of the rule requires amending. This rule will be replaced with a new rule of the same number and title and will retain much of the same content from the rule to be rescinded. This rule was reviewed in preparation for the Next Generation of Ohio Medicaid Managed Care program and in response to procuring a new EDI vendor.

This rule describes and defines general provisions for covered entities (including health plans, health care clearinghouses and health care providers) to enroll as a trading partner with the Ohio Department of Medicaid (ODM). This rule outlines the trading partner responsibilities related to the submission of EDI files for testing and production in the Health Insurance Portability and Accountability Act (HIPAA) compliant EDI standard formats. Entities must submit the appropriate documentation both before testing and prior to submitting claims for production adjudication. Requirements for each phase of testing are defined, in addition to specific requirements to be met prior to obtaining approval to move to production adjudication. The rule informs all trading partners of their responsibility for breaches of information including being liable for any breach and their associated costs. Lastly, trading partners not actively submitting 837 files are required to submit a report on a quarterly basis of the national provider identifier (NPI) numbers for all the providers the trading partner represents.

The new proposed rule provides the same provisions as the rescinded rule with the following changes:

- Adds definitions of EDI transactions and reorganizes this section of the rule into alphabetical order. Definitions were added to accommodate EDI transactions that will be adopted by ODM in the future and with implementation of the Next Generation of Ohio Medicaid Managed Care Program and related initiatives.

- Adds more detail related to the passing criteria for specific transactions tested.
- Adds a statement that ODM may terminate without notice the trading partner agreement of trading partners who do not submit or receive EDI transactions for 2 years or longer.
- Removes regulatory restrictions in accordance with Section 121.95 of the Revised Code.

Pursuant to Section three of Sub. H.B. 51 (134th General Assembly), ODM will hold the public hearing for this rule package via teleconference. The phone number, PIN (access code), link for teleconference attendance, and the date and time for this hearing are listed at the top of this Notice. All interested parties are invited to participate in the public hearing. Oral and written testimony will be accepted for this hearing and will be given the same consideration. Those who want to give oral testimony are asked to send an email to Rules@Medicaid.Ohio.gov no later than one hour before the hearing to be added to the witness list. There will be a final call at the end of the hearing for those who wish to offer oral testimony but are not on the witness list.

Written comments submitted via fax, United States Postal Service, and email that are received or postmarked no later than the day of the hearing will be accepted as testimony and become part of the hearing record. All testimony will become public record; therefore, ODM asks that protected health information be excluded unless the information belongs to the person submitting the testimony or to a person for which the submitter is a legal guardian. Written testimony sent via email is highly recommended. All testimony received via email will receive a confirmation of receipt.

A copy of the proposed rule is available, without charge, to any person at the address listed below. The rule is also available on the internet at <http://www.registerofohio.state.oh.us/>. Requests for a copy of the proposed rule or comments on the rule should be submitted by mail to the Ohio Department of Medicaid, Office of Legal Counsel, 50 W. Town Street, Suite 400, Columbus, Ohio 43215-3414, by fax at (614) 995-1301, or by e-mail at Rules@Medicaid.Ohio.gov.

ODM is committed to providing access and inclusion and reasonable accommodation in its services, activities, programs, and employment opportunities in accordance with the Americans with Disabilities Act (ADA), Title VI of the Civil Rights Act, and other applicable laws. To request an interpreter, written information in a language other than English or in other formats (large print, audio, accessible electronic formats, other formats), or a reasonable accommodation due to a disability, please contact ODM's Civil Rights/ADA Coordinator at 614-995-9981/TTY 711, Fax 1-614-644-1434, or Email: ODM_EEO_EmployeeRelations@medicaid.ohio.gov. Requests should be made **at least three (3) business days prior to the scheduled hearing**. If you believe ODM has failed to provide these services or discriminated in another way, you can file a grievance with ODM's Civil Rights Coordinator and/or file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights. Further information on these processes and ODM's compliance with civil rights and other applicable laws can be found here: [Notice of Nondiscrimination](#).