

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 5160-8-53

Rule Type: New

Rule Title/Tagline: Diabetes prevention and self-management training.

Agency Name: Ohio Department of Medicaid

Division:

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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?**
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 5164.02
5. **What statute(s) does the rule implement or amplify?** 5164.02
6. **What are the reasons for proposing the rule?**

Rule 5160-8-53, "Diabetes prevention and self-management training," sets forth coverage and payment provisions for diabetes prevention and self-management training services. This new rule establishes Medicaid payment for diabetes self-management training services (G0108 and G0109) when provided by physicians, advanced practice registered nurses, physician assistants, registered dietitians, and pharmacists for the treatment of individuals with diabetes beginning on the effective date of this rule. Coverage of DSMT service is being established per SSA §1861(qq). These services are intended to prevent the exacerbation of diabetes symptoms and its comorbidities (e.g, cardiovascular and kidney disease) in individuals with a diagnosis of diabetes.

This new rule also establishes Medicaid payment for National Diabetes Prevention Program (NDPP) services (0403T and 0488T) for physicians, physician assistants, and advanced practice registered nurses. Coverage of NDPP services is being established to prevent individuals with prediabetes from developing type 2 diabetes.

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

New rule Rule 5160-8-53, "Diabetes self-management training." establishes coverage and payment for diabetes self-management and training services (G0108 and G0109) when provided by physicians, advanced practice registered nurses, physician assistants, registered dietitians, and pharmacists. This new rule also establishes Medicaid payment for National Diabetes Prevention Program (NDPP) services (0403T and 0488T) for physicians, physician assistants, and advanced practice registered nurses.

8. Does the rule incorporate material by reference? Yes

9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.

The materials referenced in this new rule are exempt pursuant to R.C. 121.75 as these materials reference federal regulations.

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

Not Applicable

II. Fiscal Analysis

11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will increase expenditures.

\$1,000,000.00

This budget impact estimate is based on the fee for service population of approximately 350,000. About 14% of those individuals have diabetes and ODM is expecting 3% of adults with diabetes to be referred for diabetes self-management training (DSMT) by their physicians. The cost of the first year or full benefit of DSMT is

\$380 per person. This figure also includes estimates for one year of NDPP services for 1.5% of the population of Medicaid recipients with prediabetes. The cost of the first full year or full benefit of NDPP is \$600 per person.

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

Not Applicable.

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

14. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

15. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not Applicable.

III. Common Sense Initiative (CSI) Questions

16. **Was this rule filed with the Common Sense Initiative Office? No**

17. **Does this rule have an adverse impact on business? No**

A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**

B. **Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**

C. **Does this rule require specific expenditures or the report of information as a condition of compliance? No**

D. **Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

A. How many new regulatory restrictions do you propose adding?

Not Applicable

B. How many existing regulatory restrictions do you propose removing?

Not Applicable