

NOTICE OF PUBLIC HEARING

The Ohio Bureau of Workers' Compensation will hold a public hearing on Monday, February 8, 2020, at 9:30 a.m., to consider the following rules as summarized below.

This Public Hearing will take place via conference call as a precaution to the spread of the coronavirus (COVIT-19), in accordance with Section 12 of emergency legislation Am. Sub. H.B. 197 as signed by Governor Mike DeWine effective March 27, 2020. To access this hearing, please dial the following phone number and enter the pin code at the prompt to connect:

Phone number: 614-721-2972

Pin code: 561 683 112#

As a result of a five-year rule review of the OAC Chapter 4123-6 rules, BWC is proposing the following:

Amend:

4123-6-01 Definitions.

4123-6-01.1 Applicability of medical rules.

4123-6-02 Provider access to the HPP – generally.

4123-6-02.21 Provider access to the HPP - non-certified provider enrollment.

4123-6-02.3 Provider access to the HPP - provider application and certification criteria.

4123-6-02.4 Provider access to the HPP - provider recertification.

4123-6-02.5 Provider access to the HPP - provider not certified.

4123-6-02.51 Provider access to the HPP -- Denial of provider, entity or MCO enrollment - certification based on criminal conviction or civil action.

4123-6-02.6 Provider access to the HPP -- selection by an MCO.

4123-6-02.7 Provider access to the HPP - provider decertification procedures.

4123-6-02.8 Provider requirement to notify of injury.

4123-6-02.9 Provider access to the HPP - provider marketing.

4123-6-03.4 MCO participation in the HPP - MCO certification.

4123-6-04.5 MCO scope of services - bureau claims management.

4123-6-04.6 Return to work assessment.

4123-6-05.3 Employer access to the HPP; certain solicitation practices by MCOs prohibited.

4123-6-05.4 Employer access to the HPP; payment for referrals prohibited

4123-6-07 Services and supplies never covered.

4123-6-10 Payment to providers.

4123-6-14 MCO bill submission to bureau.

4123-6-14.1 Records to be retained by MCO.

4123-6-15 Confidentiality of records.

4123-6-16 Alternative dispute resolution for HPP medical issues.

4123-6-16.2 Medical treatment reimbursement requests.

4123-6-16.3 Reimbursement of retroactive medical treatment reimbursement requests.

4123-6-17 Bureau refusal to certify or recertify, action to decertify a provider or MCO - standards and procedures for adjudication hearings.

4123-6-18 Data gathering and reporting.
4123-6-20 Obligation to submit medical documentation and reports.
4123-6-20.1 Charges for copies of medical reports.
4123-6-21 Payment for outpatient medication.
4123-6-21.1 Payment for outpatient medication by self-insuring employer.

Enact:

4123-6-04.3 MCO scope of services - MCO medical management and claims management assistance.

Rescind:

4123-6-04.3 MCO scope of services - MCO medical management and claims management assistance.
4123-6-04.4 MCO scope of services - fee bill review and audit process.
4123-6-06.1 Employee access to medical services -- education by MCO and employer.

The full and complete text of the proposed rules is available at the Register of Ohio (<http://www.registerofohio.state.oh.us>) and is on file in the office of the Secretary of State (180 East Broad Street, 15th Floor, Columbus, Ohio), the Legislative Service Commission (77 South High Street, 9th Floor, Columbus, Ohio), the office of the Joint Committee on Agency Rule Review (77 South High Street, Concourse Level, Columbus, Ohio), the Bureau of Workers' Compensation, Legal Operations (30 West Spring Street, 26th Floor, Columbus, Ohio), the Bureau of Workers' Compensation (30 West Spring Street, Columbus, Ohio, 1st Floor, Hearing Rooms), and all service offices of the Bureau.

All interested parties will be given an opportunity to be heard. Any interested party unable to attend the public hearing may submit written comments to the undersigned prior to the public hearing at enotification@bwc.state.oh.us.

THE OHIO BUREAU OF WORKERS' COMPENSATION

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