

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID**

DATE: 4/15/2016
TIME: 11:00
LOCATION: Room A501, Lazarus Government Center
50 West Town Street, Columbus, OH 43215

Pursuant to section 5164.02 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Medicaid gives notice of the Department's intent to consider the amendment, rescission, or adoption of the rules identified below and to hold a public hearing on these rules.

Existing rule 5160-10-16, "Wheelchairs," sets forth coverage and payment policies for wheelchairs, related accessories, and seating options. This rule is rescinded. Coverage and payment policies for wheelchairs and related items are incorporated into new rule 5160-10-16.

Existing rule 5160-10-16.1, "Wheelchair rentals," sets forth coverage and payment policies for the rental of wheelchairs. This rule is rescinded. Coverage and payment policies for wheelchair rental are incorporated into new rule 5160-10-16.

New rule 5160-10-16, "DMEPOS: wheelchairs," sets forth coverage and payment policies for wheelchairs, related accessories, seating options, and wheelchair rental. This rule replaces rescinded rules 5160-10-16 and 5160-10-16.1.

The new rule incorporates many substantive changes:

- The Medicare wheelchair groupings for power mobility devices are adopted. As a result, the current handful of procedure codes in the claim-payment system that represent power wheelchairs are replaced by dozens of additional, item-specific codes, each with its own maximum payment amount (which is often less than the amount currently paid).
- The concept of a basic equipment package is adopted. When a wheelchair is purchased, no separate payment is made for items in the basic equipment package.
- Definitions are clarified or created for key terms: basic equipment package, complex rehabilitation technology (CRT), custom wheelchair, customized seating system, individualized seating system, and need verification.
- Payment is allowed for a manual wheelchair in addition to a power mobility device if having that backup wheelchair significantly improves an individual's mobility and is cost-effective.
- Payment is allowed for the professional evaluation of an individual's needs for a wheelchair.
- A replacement schedule for equipment, parts, and accessories is established. The distinction between major and minor repairs is eliminated. Need verification rather than prior authorization is applied to most repair requests and to replacement requests that do not exceed the established frequency guidelines. Replacement requests for wear items (e.g., caster bearings, tires, arm pads) are exempted from need verification.
- Maximum payment amounts for equipment, parts, and accessories are specified by formula (a percentage of Medicare fee-for-service allowed amounts).

- A maximum payment amount for labor is established and specified by formula (based in part on a U.S. Bureau of Labor Statistics hourly wage for medical equipment repair technicians and on certain mileage assumptions).
- Three existing wheelchair-related certificates of medical necessity (CMNs) are merged into a single new form.

The public hearing will be held at the date, time, and location listed at the top of this notice. Both written and oral testimony will be accepted at the public hearing, and written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Any person affected by these rules may examine them and obtain a copy, without charge, at the following locations:

Ohio Department of Medicaid, 50 West Town Street, Suite 400, Columbus, Ohio 43215;
Any county department of job and family services; or
On the internet at <http://www.registerofohio.state.oh.us/>.

A copy of the proposed rules may be requested, and testimony on the rules may be submitted, in any of the following ways:

By mail to the Rule Administrator, Office of Chief Legal Counsel, Ohio Department of Medicaid, 50 West Town Street, Suite 400, Columbus, OH 43215;
By fax to (614) 995-1301; or
By e-mail to rules@medicaid.ohio.gov.

Testimony on the proposed rules may also be reviewed at the Ohio Department of Medicaid, 50 West Town Street, Suite 400, Columbus, Ohio 43215.