

**PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF MEDICAID**

DATE: November 15, 2021

TIME: 11:00 a.m.

Teleconference Dial-in Phone Number: 614-721-2972

Teleconference Pin: 512166232#

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

In-Person Location: 50 W. Town Street, Suite 400, Columbus, Ohio 43215, Room A501

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 rules identified below and of a public hearing thereon.

Rule 5160-8-42, "Lactation consulting services," and rule 5160-10-25 "DMEPOS: lactation pumps." set forth coverage and payment provisions for lactation consulting services and breast pumps and supplies.

New rule 5160-8-42 establishes Medicaid payment for lactation consulting services when provided by physicians, physician assistants, advanced practice registered nurses, and registered nurses for breastfeeding education, support, and assistance with complex breastfeeding problems.

Rule 5160-10-25 is being amended to loosen restrictions regarding the medical necessity of breast pumps and to add coverage and payment criteria for breast pump supplies. Breastfeeding has been shown to be one of the most effective preventive measures mothers can take to protect their children's health. Evidence shows that breastfeeding is a low-cost, preventive health strategy that can prevent or address many acute and chronic health issues for mother and baby. These services are intended to narrow Ohio's racial disparity in infant and maternal deaths and lower Ohio's overall infant mortality rate.

These changes are expected to increase Medicaid annual expenditures by \$4,347,840.

ODM will hold the public hearing for this rule package via teleconference and in-person. All in-person attendees are required to follow ODM health and safety protocols, including temperature checks, wearing a face mask, and practicing social distancing when inside the ODM office. The date and time for the public hearing are listed at the top of this Notice as well as the phone number, PIN (access code), and link for teleconference attendance, and location for in-person attendance.

All interested parties are invited to participate in the public hearing. Both oral and written testimony will be accepted for this hearing and will be given the same consideration. Persons who want to give oral testimony are asked to send a message by e-mail 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 persons who wish to offer oral testimony but do not yet appear on the witness list.

Written comments submitted by e-mail, postal mail, or fax that are received or postmarked no later than the day of the hearing will be accepted as testimony and will become part of the hearing record. All testimony will become public record; therefore, ODM asks that protected health information (PHI) 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 by e-mail is highly recommended. All persons who submit testimony by e-mail will be sent a confirmation of receipt.

A copy of the proposed rules is available, without charge, to any person at the address listed below. The rules are 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.