



NOTICE OF PUBLIC HEARING

Pursuant to Chapter 119. of the Revised Code, the Ohio Department of Developmental Disabilities (DODD) hereby gives notice of its intent to rescind and adopt the following rules of the Administrative Code on a permanent basis on or about May 20, 2010, and to conduct a public hearing thereon.

Rule 5123:2-9-06 entitled "HCBS Waivers - Waiver Reimbursement Methodology" is proposed for rescission and replacement by a new rule of the same number. The rule has been revised to support implementation of the new Cost Projection Tool. The Cost Projection Tool is a web-based analytical tool, developed and administered by DODD, used to project the cost of Home and Community-Based Services (HCBS) identified in the individual service plans of individuals enrolled on the Individual Options and Level One HCBS waivers. The rule has been revised to eliminate references to transition to statewide payment rates, which was completed in 2008. Additionally, the rule has been reordered to better reflect the chronological sequence of the processes described therein. DODD is bringing forth a new rule as necessary amendments to the existing rule would affect more than fifty percent of the rule.

Rule 5123:2-13-07 entitled "Individual Options Waiver - Homemaker/Personal Care Daily Billing Unit for Congregate Settings Where Individuals Share Services" is proposed for rescission and replacement by new rule 5123:2-9-31 (described below).

Rule 5123:2-9-31 entitled "HCBS Waivers - Homemaker/Personal Care Daily Billing Unit for Sites Where Individuals Enrolled on the Individual Options Waiver Share Services" is a new rule proposed to replace rule 5123:2-13-07. The purpose of the proposed new rule is to establish the payment process for Homemaker/Personal Care when individuals share the services of the same provider at the same site as part of the HCBS Individual Options waiver. The rule establishes a daily billing unit for individuals/sites that qualify, which shall be used instead of the fifteen-minute billing unit established in rule 5123:2-9-06 of the Administrative Code.

DODD is bringing forth a new rule so that the rule is renumbered to Chapter 5123:2-9; it is DODD's intent that eventually all DODD rules related to HCBS waivers shall reside in Chapter 5123:2-9 of the Administrative Code.

A public hearing on the proposed rule actions will be held on **March 19, 2010**, beginning at **10:00 a.m.**, and continuing until all persons in attendance have had an opportunity to testify. The hearing will be held in the **Lobby Hearing Room of the Rhodes State Office Tower located at 30 East Broad Street, Columbus, Ohio 43215**. At this hearing, DODD will accept verbal and/or written testimony on the proposed rule actions under consideration.

Persons unable to attend the public hearing may submit written comments on the proposed rule actions. Any written comments received on or before the public hearing date will be treated as testimony and made available for public review. Submittal of written comments may be made to Becky Phillips, Administrative Rules Coordinator, by e-mail to becky.phillips@dodd.ohio.gov; by fax to 614/752-8551; or by U.S. mail to 30 East Broad Street, 12th Floor, Columbus, Ohio 43215-3414.

The proposed rules are available on the Register of Ohio website at: <http://registerofohio.state.oh.us> and on the DODD website at: <http://dodd.ohio.gov/rules/development.htm>. The proposed rules are also available for review at each local county board of developmental disabilities.