



Ohio Revised Code

Section 5164.37 Suspension of provider agreement without notice.

Effective: October 17, 2019

Legislation: House Bill 166 - 133rd General Assembly

(A) The department of medicaid may suspend a medicaid provider's provider agreement without prior notice if the department has evidence that the provider presents a danger of immediate and serious harm to the health, safety, or welfare of medicaid recipients. The department also shall suspend all medicaid payments to the medicaid provider for services rendered, regardless of the date that the services were rendered, when the department suspends the provider agreement under this section.

(B) If the department suspends a medicaid provider's provider agreement under this section, the department shall do both of the following:

(1) Not later than five days after suspending the provider agreement, notify the medicaid provider of the suspension;

(2) Not later than ten business days after suspending the provider agreement, notify the medicaid provider that the department intends to terminate the provider agreement.

(C) The notice that the department provides to a medicaid provider under division (B)(2) of this section shall include the allegation that the provider presents a danger of immediate and serious harm to the health, safety, or welfare of medicaid recipients. It may also include other grounds for terminating the provider agreement. Section 5164.38 of the Revised Code applies to the termination of the provider agreement.

(D) The suspension of a medicaid provider's provider agreement and medicaid payments shall cease at the earliest of the following:

(1) The department's failure to provide a notice required by division (B) of this section by the time specified in that division;



- (2) The department rescinds its notice to terminate the provider agreement.

- (3) The department issues an order regarding the termination of the provider agreement pursuant to an adjudication conducted in accordance with Chapter 119. of the Revised Code.

- (E) This section does not limit the department's authority to suspend or terminate a provider agreement or medicaid payments to a medicaid provider under any other provision of the Revised Code.