



Ohio Administrative Code

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

Effective: April 15, 2024

(A) The administrator of the bureau of workers' compensation may refuse to certify or recertify or may decertify a provider, MCO, or QHP as provided in this chapter.

(B) The bureau will monitor and may investigate a provider, MCO, or QHP, and may participate with other state or federal agencies or law enforcement authorities in gathering evidence for such matters.

(C) Prior to the administrator issuing an adjudication order on the matter, the administrator will afford the provider, MCO, or QHP an opportunity for a hearing by serving written notice to the provider, MCO or QHP in accordance with Chapter 119 of the Revised Code. The notice will include a statement informing the provider, MCO, or QHP that if the bureau does not receive a request for a hearing within thirty days of the time of the service of the written notice, the administrator may proceed with an adjudication order concerning the provider, MCO, or QHP.

(D) If no timely request for a public hearing is made by the provider, MCO, or QHP, the administrator may issue an adjudication order concerning the provider, MCO, or QHP.

(E) If the provider, MCO, or QHP files a timely request for a hearing, the bureau will schedule the hearing in accordance with sections 119.07 and 119.09 of the Revised Code. The hearing will be held at the bureau central office in Columbus, but if requested by the provider, MCO, or QHP, the bureau may hold the hearing in the bureau office closest to the place of business of the provider, MCO, or QHP.

(F) Conduct of hearing.

(1) The hearing will be conducted in accordance with Chapter 119 of the Revised Code. The administrator may conduct the hearing personally or may delegate the hearing to a referee, who will be an attorney at law. The referee may be from the bureau's legal division or an attorney employed



by the administrator especially for such purpose. The bureau has the burden of proof to establish, by a preponderance of the evidence, cause for suspending or revoking the certification of a provider, MCO, or QHP.

(G) Should the provider, MCO, or QHP be adversely affected by the order of the administrator, the provider, MCO, or QHP may file a notice of appeal of the decision in accordance with section 119.12 of the Revised Code.

(H) Any adjudicating order of the administrator to decertify, or to refuse to recertify a provider, MCO, or QHP shall include a clear indication of the beginning date of such action.