Ohio Administrative Code

Rule 5123-7-04 Intermediate care facilities for individuals with intellectual disabilities - payment during the Ohio department of medicaid administrative appeals process for termination of a provider agreement.

Effective: December 16, 2019

(A) Purpose

This rule clarifies conditions under which payment may be made to an intermediate care facility for individuals with intellectual disabilities (ICFIID) during proposed termination and upon termination of the ICFIID's provider agreement by the Ohio department of medicaid.

(B) Payment during the appeals process

When the Ohio department of medicaid is required to provide an adjudicatory hearing pursuant to Chapter 119. of the Revised Code, payment shall continue for medicaid-covered services provided to eligible residents during the appeal of and the proposed termination of an ICFIID's provider agreement. Payment shall not be made under this provision for services rendered on or after the effective date of the issuance of a final order of adjudication pursuant to Chapter 119. of the Revised Code, except as provided in paragraph (C)(1) of this rule.

(C) Payment following termination of provider agreement

(1) Payment may be provided up to thirty calendar days following the effective date of termination of an ICFIID's provider agreement or after an administrative hearing decision that upholds the termination action. Payment will be available if both of the following conditions are met:

(a) Payment is for residents admitted to the ICFIID before the effective date of termination; and

(b) The ICFIID cooperates with federal, state, and local entities in the effort to transfer residents to other facilities or community programs that can meet the residents' needs.

(2) When the Ohio department of medicaid acts under instructions from the United States department

of health and human services, payment ends on the termination date specified by that agency.