



TED STRICKLAND
GOVERNOR
STATE OF OHIO

Executive Order 2008 – 15S

Immediate Amendment of Rule to Implement a Rate Increase for Community Providers of Medicaid Services

- 1. Setting Reimbursement Rates for Medicaid-Covered Providers.** The Ohio Department of Job and Family Services (ODJFS) is responsible for setting the reimbursement rates for community providers of Medicaid covered services. These providers include, but are not limited to, advanced practice nurses, ambulatory health care clinics, ambulatory surgery centers, chiropractors, dentists, occupational therapists, optometrists, physical therapists, physicians, podiatrists, psychologists and transportation providers (ambulance and ambulette).
- 2. Increasing Reimbursement Rates for Community Providers to Help Ensure Access to Qualified Providers.** Ohio law permits an increase in the reimbursement rate to community providers who submit claims for services performed on or after July 1, 2008. By increasing the maximum reimbursement rates for the provision of services by community providers, ODJFS will help to ensure that providers of these services are adequately compensated, which will mean that the providers will continue to offer their services. As a result, consumers will retain access to an established pool of qualified providers.
- 3. Making the Amended Rules Effective on July 1, 2008.** In order for ODJFS to implement the community provider rate increase, amendment of rules in the Ohio Administrative Code must occur immediately.
- 4. Procedure for Immediate Enactment of Rule Changes.** Section 119.03(F) of the Ohio Revised Code authorizes the Governor, on the request of a state agency, to suspend the normal rule-making procedures with respect to a specific rule when an emergency exists necessitating the immediate adoption, amendment, or rescission of the rule. When such a

determination is made, the agency may immediately adopt, amend, or rescind that rule, but the rule is valid for only ninety days.

5. **Determination of an Emergency.** I believe that an emergency exists justifying the suspension of the normal rule-making process when the failure to act immediately would negatively impact the citizens of Ohio. ODJFS has asked me to determine, and I have determined, that amending the rule that permits an increase in the maximum reimbursement rate for community providers will help to ensure continued access to quality services for Medicaid recipients. Therefore, an emergency exists necessitating the immediate amendment of administrative rules in this regard.
6. **Authorization for Immediate Rule Implementation.** Accordingly, the normal rule-making procedures are suspended with respect to an amendment to Rule 5101:3-1-60 of the Ohio Administrative Code, which will result in a community service provider rate increase with an aggregate average of 3%, based on the type of service provided. ODJFS will file this rule electronically with the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review and may, therefore, adopt this rule immediately.
7. I signed this Executive Order on July 1, 2008. It will expire at the end of the ninetieth day it is in effect, September 29, 2008.



Ted Strickland
Ted Strickland, Governor

ATTEST:

Jennifer Brunner, Secretary of State