



JOHN R. KASICH
GOVERNOR
STATE OF OHIO

Executive Order 2012-17K

The Emergency Amendment of Rule 5101:3-2-08.1 of the Ohio Administrative Code by the Ohio Office of Medical Assistance

WHEREAS, a need for an emergency amendment to the Ohio Hospital Care Assurance Program (HCAP) will allow the Ohio Office of Medical Assistance to expediently distribute state and federal funding to hospitals to reimburse them for their uncompensated costs in treating indigent and uncovered patients during the 2012 HCAP program year. The effect of this change will be to distribute \$555.1 million in disproportionate share hospital funding to hospitals.

WHEREAS, Sections 5111.02, 5112.03, and 5112.06 of the Ohio Revised Code authorize the Ohio Office of Medical Assistance to promulgate the rule for the administration of the HCAP program.

WHEREAS, Section 119.03(F) of the Ohio Revised Code authorizes the Governor, upon the request of a state agency, to determine that an emergency exists necessitating the immediate adoption, amendment, or rescission of an agency rule.

WHEREAS, the Ohio Office of Medical Assistance has requested a determination whether an emergency exists that requires the immediate amendment of Rule 5101:3-2-08.1 of the Ohio Administrative Code in order for the Ohio Office of Medical Assistance, pursuant to Sections 5111.02, 5112.03, and 5112.06 of the Ohio Revised Code, to make emergency changes to the rule to set the assessment rates for the 2012 HCAP program.

NOW THEREFORE, I, John R. Kasich, Governor of the State of Ohio, have determined, upon the request of the Ohio Office of Medical Assistance, that an emergency exists requiring the immediate amendment of Rule 5101:3-2-08.1 of the Ohio Administrative Code by the Ohio Office of Medical Assistance. Further, I hereby order that the procedures prescribed by Section 119.03 of the Ohio Revised Code with respect to the amendment of such specified rule be suspended and the Ohio Office of Medical Assistance be permitted to immediately amend this rule by electronically filing it with the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review.

Further, I hereby order that this Executive Order be filed in electronic form with the Ohio Office of Medical Assistance, the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review.

I signed this Executive Order on November 27, 2012 in Columbus, Ohio, and it will expire at the end of the ninetieth day it is in effect.





John R. Kasich, Governor

ATTEST:

Jon Husted, Secretary of State