



**JOHN R. KASICH**  
GOVERNOR  
STATE OF OHIO

### **Executive Order 2013-07K**

The Emergency Adoption of Rule 5101:3-2-65 of the Ohio Administrative Code  
by the Ohio Office of Medical Assistance (Department of Medicaid)

**WHEREAS**, reimbursement reform is a key component of the Administration's goal to modernize the Medicaid program.

**WHEREAS**, Am. Sub. H.B. 153 of the 129<sup>th</sup> General Assembly required the Ohio Office of Medical Assistance (Department of Medicaid) to establish a new reimbursement methodology for prospectively-paid inpatient hospital services.

**WHEREAS**, Ohio Office of Medical Assistance had previously identified a need to replace its existing 15-year-old grouper for making inpatient hospital payments.

**WHEREAS**, Ohio Office of Medical Assistance has worked extensively with representatives of Ohio's hospital and Medicaid managed care stakeholders to design, evaluate and develop an implementation plan for implementing its new All Patient Refined Diagnostic Related Groups ("APR-DRG") system, with an agreed implementation date of July 1, 2013, for the reimbursement methodology.

**WHEREAS**, Section 5111.02 of the Ohio Revised Code authorizes Ohio Office of Medical Assistance to promulgate rules for the administration of the Medicaid 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**, Ohio Office of Medical Assistance has requested a determination whether an emergency exists that requires the immediate adoption of Rule 5101:3-2-65 of the Ohio Administrative Code in order for Ohio Office of Medical Assistance to implement the APR-DRG system on July 1, 2013.

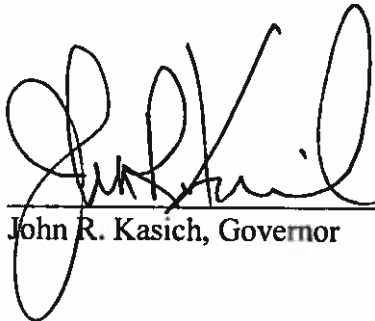
**NOW THEREFORE**, I, John R. Kasich, Governor of the State of Ohio, have determined, upon the request of the Ohio Office of Medical Assistance, that an emergency exists requiring the immediate adoption of Rule 5101:3-2-65 of the Ohio Administrative Code by the Ohio Office of Medical Assistance (Department of Medicaid). 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

(Department of Medicaid) 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 (Department of Medicaid), 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 June 30, 2013, in Columbus, Ohio, and it will expire at the end of the ninetieth day it is in effect.



  
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John R. Kasich, Governor

ATTEST:

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Jon Husted, Secretary of State