



JOHN R. KASICH
GOVERNOR
STATE OF OHIO

Executive Order 2013-13K

The Emergency Amendment of Rules 5160-2-65 and 5160-2-07.6
of the Ohio Administrative Code by the Ohio Department of Medicaid

WHEREAS, the need exists for an emergency change in Ohio Department of Medicaid (“ODM”) rules to revise the payment methodology affecting Ohio’s hospitals to correspond to other adjustments in the Medicaid program. The amendment of Rules 5160-2-65 and 5160-2-07.6 of the Ohio Administrative Code, effective January 1, 2014, will allow for the following: termination of a temporary five percent rate increase for inpatient hospital base and medical education rates for all hospitals except children’s hospitals; reduction of the percent of outlier eligible costs from ninety-five to ninety percent for all hospitals; authorization of a reduction of capital cost reimbursement for inpatient hospital services from one hundred percent of cost to eight-five percent of cost; and elimination of the cost settlement of capital-related costs to all hospitals paid by Medicaid under prospective payment.

WHEREAS, Section 5164.02 of the Ohio Revised Code authorizes ODM 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.

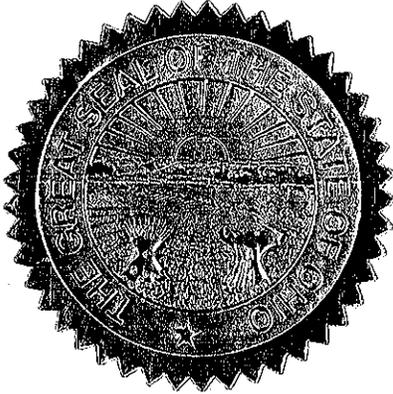
WHEREAS, ODM has requested a determination whether an emergency exists that requires the immediate amendment of Rules 5160-2-65 and 5160-2-07.6 of the Ohio Administrative Code in order for ODM, pursuant to Section 5164.02 of the Ohio Revised Code, to make emergency changes to the payment methodology affecting Ohio’s hospitals to terminate a temporary five percent rate increase for inpatient hospital base and medical education rates for all hospitals except children’s hospitals; reduce the percent of outlier eligible costs from ninety-five to ninety percent for all hospitals; and reduce interim capital payments and eliminate cost settlement of capital-related costs to all hospitals paid by Medicaid under prospective payment.

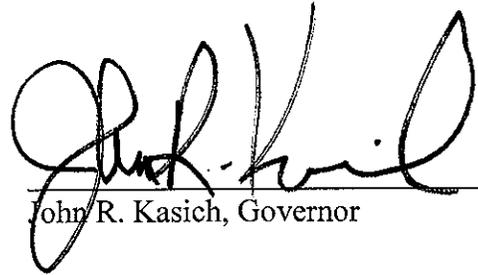
NOW THEREFORE, I, John R. Kasich, Governor of the State of Ohio, have determined, upon the request of ODM, that an emergency exists requiring the immediate amendment of Rules 5160-2-65 and 5160-2-07.6 of the Ohio Administrative Code by ODM, as stated above. Further, I hereby order that the procedures prescribed by Section 119.03 of the Ohio Revised Code with respect to the amendment of such specified rules be suspended and the ODM be permitted to immediately amend these rules 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 ODM, 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 December 19, 2013 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