

**MEDICAID ELIGIBILITY MANUAL TRANSMITTAL LETTER NO. 103**

**To:** All Medicaid Eligibility Manual Holders

**From:** John B. McCarthy, Director

**Subject:** Medicaid: Patient Liability

This MEMTL contains two news rule from Chapter 5160:1-3 of the Administrative Code, adopted under section 111.15 of the Revised Code. The rules replace two rescinded rules from the same Chapter. These rules were reviewed in accordance with section 119.032 of the Revised Code.

The effective date of the rules is January 1, 2016.

**Chapter 5160:1-3 Medicaid for Aged Blind and Disabled**

**Medicaid: 5160:1-3-04.3 Determining Patient Liability**

This rule is replacing rule 5160:1-3-24, which is being rescinded and made new with this new rule number as part of the reorganization of this chapter. This rule sets forth the policies for determining Medicaid patient liability.

This rule is amended to increase the personal needs allowance in accordance with changes to section 5163.33 of the Revised Code adopted under Am. Sub. H.B. 59, 130th G.A. and Am. Sub. H.B. 64, 131st G.A., to change the way cost of care is deducted from the patient liability in certain circumstances, and to expand the group of veterans and veterans' widows who have a portion of their veterans administration pension excluded as income in patient liability calculations. Department references in the rule are changed from ODJFS to ODM and any citations to Ohio Administrative Code Medicaid rules are changed from 5101 to 5160. Also, minor changes were made for clarity, correctness and consistency with other rules.

**Medicaid: 5160:1-3-24 Determining Patient Liability**

This rule is being rescinded and made new with a new rule number 5160:1-3-04.3.

**Medicaid: 5160:1-3-04.4 Income and Patient Liability Determinations for Individuals Under the Assisted Living Home and Community Based Waiver**

This rule is replacing rule 5160:1-3-24.1, which is being rescinded and made new with this new rule number as part of five-year review. This rule sets forth the methods of determining income

and patient liability for individuals under the assisted living home and community-based waiver. In addition to the renumbering, this rule has been amended to update administrative code rule numbers and to make minor changes for clarity and correctness.

**Medicaid: 5160:1-3-24.1 Income and Patient Liability Determinations for Individuals Under the Assisted Living Home and Community Based Waiver**

This rule is being rescinded and made new with a new rule number 5160:1-3-04.4, as part of five-year rule review.

This information is also available on the Internet and may be accessed at:

[www.medicaid.ohio.gov](http://www.medicaid.ohio.gov)