



**MEDICAID ELIGIBILITY MANUAL TRANSMITTAL LETTER (MEMTL) NO. 173**

**To:** All Medicaid Eligibility Manual Holders

**From:** Maureen M. Corcoran, Director

**Subject:** Medicaid: request for home and community-based services (HCBS) waiver.

This MEMTL contains one rescinded rule and one new rule from Chapter 5160:1-2 of the Administrative Code, adopted under section 111.15 of the Revised Code. The rule is also being evaluated as part of a five-year review in accordance with section 111.15 of the Revised Code.

The effective date of this rule is December 14, 2020.

In addition to the five-year review updates, this rule contains revisions to comply with conditions identified in the Families First Coronavirus Response Act (FFCRA) regarding continuous coverage for individuals enrolled in Medicaid on or after March 18, 2020. The revisions make permanent during the ongoing COVID-19 public health emergency those changes that were emergency filed pursuant to section 111.15 of the Ohio Revised Code on July 8, 2020.

**Chapter 2**

**5160:1-2-03 Medicaid: request for home and community-based services (HCBS) waiver.**

Changes to this rule as a result of five-year review include updates to the ways in which an individual can request an HCBS waiver and updates to the administrative agency's responsibility for processing the HCBS waiver request. Other changes include the removal of language indicating an individual's eligibility for HCBS will be discontinued if he/she no longer meets the conditions of eligibility for HCBS or if the HCBS agency determines the individual is no longer authorized to receive services. Language in the rule has also been updated for clarity.

This information is also available on the Ohio Department of Medicaid website and may be accessed at:

**RESOURCES > Publications > ODM Guidance > Medicaid Policy > Medicaid Eligibility Manual Transmittal Letter (MEMTL)**

<http://medicaid.ohio.gov/RESOURCES/Publications/ODMGuidance.aspx#161542-medicaid-policy>