



Mike DeWine, Governor  
Jon Husted, Lt. Governor

Maureen M. Corcoran, Director

**Medicaid Transmittal Letter No. 3336-21-05**

DATE: August 23, 2021  
TO: Eligible Medicaid Providers of Physician, Medicine, and Surgery Services  
Chief Executive Officers, Managed Care Plans  
Other Interested Parties  
FROM: Maureen M. Corcoran, Medicaid Director  
SUBJECT: Revision of Rule 5160-4-02 and Replacement of Rule 5160-4-05 of the Ohio  
Administrative Code

Existing rule 5160-4-02, "Supervision of professional services," sets forth payment policies for professional services provided by non-independent practitioners under the supervision of an independent practitioner.

Existing rule 5160-4-05, "Services rendered under the supervision of a teaching practitioner," sets forth provisions for coverage of and payment for services performed by residents under the supervision of a teaching physician.

As a result of the review process set forth in section 106.03 of the Ohio Revised Code ("five-year review"), rule 5160-4-02 is being amended, and rule 5160-4-05 is being rescinded and replaced by new rule 5160-4-02.3.

Amended rule 5160-4-02 is being reorganized for the sake of clarity. The term 'professional medical services' is replaced by 'healthcare services'. The availability criteria for general supervision are rephrased. The tagline of the rule is changed to "Healthcare services provided under supervision." There is no substantive change in policy.

In new rule 5160-4-02.3, certain provisions that are addressed explicitly in the existing rule are included implicitly through reference to the Code of Federal Regulations. The condition that a primary care center be located in an entity that receives graduate medical education (GME) payment, for example, is spelled out at 42 CFR 415.174. A provision in the existing rule requiring written confirmation that a residency program conforms to federal policy becomes unnecessary and is omitted from the new rule entirely. There is no substantive change in policy.

The changes take effect on September 1, 2021.

**Additional Information**

Information about the services and programs of the Ohio Department of Medicaid (ODM) may be accessed through the main ODM web page, <http://www.medicareid.ohio.gov>.

Questions pertaining to this letter should be directed to the Ohio Department of Medicaid:

P.O. Box 182709  
Columbus, OH 43218-2709

[noninstitutional\\_policy@medicaid.ohio.gov](mailto:noninstitutional_policy@medicaid.ohio.gov)  
(800) 686-1516