

OHIO HEALTH CARE ASSOCIATION REIMBURSEMENT COMMITTEE

**March 19, 2025, 10:00 a.m.
Zoom Meeting**

M I N U T E S

Chair Denise Leonard called the meeting to order. The table at the end of these minutes shows attendance.

The Chair noted that committee members received by email the agenda with links to materials. She reminded the committee of the OHCA Antitrust Compliance, Conflict of Interest, and Confidentiality Policies linked to the agenda and said they particularly applied to the budget discussion.

Motion: To approve the minutes of the previous meeting.
Seconded; motion carried.

Pete Van Runkle reported on the status of the state budget, HB 96. The week before the committee meeting, the House Finance Committee wrapped up its hearings on the bill. Before that, other standing committees in the House held hearings on specific parts of the budget. We provided written testimony on the SNF issues to the Finance Committee, which was a combination of separate testimony we gave to the Medicaid and Health Committees. We also had numerous conversations with House members and staff about the issues affecting SNFs. The Friday before the committee meeting was the deadline for House members to submit proposed amendments to the Finance Chair. Multiple House members submitted our two SNF-related amendments. During the week of the committee meeting and the following week, House leadership and staff would be compiling and reviewing the proposed amendments and determining which ones would go into a House substitute bill, which would be unveiled in Finance Committee on April 1.

One of our two amendments dealt with SNF reimbursement issues. We proposed to alter the administration's proposed implementation of PDPM by using a blend of components instead of only the nursing component. The blend was 70% nursing, 20% SLP, and 10% NTAs. We also proposed a different phase-in methodology after the initial 6-month CMI freeze instead of the 1/3, 2/3 approach the administration proposed. Under our approach, no one would experience a rate cut during the phase-in, but rate increases would be limited to \$5/day. After the 18-month phase-in period, which would give providers time to adjust to the new system, PDPM would be fully implemented and would have whatever impact on rates would apply at that time. The timetable lined up with the administration's proposal. Our amendment also would address

technical issues about the different scales between RUGs and PDPM and how the initial freeze would be implemented.

Another part of the reimbursement amendment would take the cap off the number of private rooms and fix an issue with the language keeping facilities that added beds through the CON process from getting them approved as private rooms. Legislators had asked questions about the cost of taking off the cap. It was not clear whether there would be a cost. As of the time of the committee meeting, there was still space under the cap for more private rooms, but it was because the language on the cap assumed 50% Medicaid utilization. If actual utilization was 50% or less, more private rooms could be added without costing more than the cap amount. If it was more than 50%, there would be some cost.

A third part of the reimbursement amendment would establish a fair rental value system for capital that would take effect July 1, 2027. HB 45 in late 2022 had required ODM to present a FRV system to the legislature by October 1, 2023, but they did not. Our amendment would put FRV in place, with the delayed effective date. During the two years before the effective date, the existing capital rates would stay in place while the preparatory work for FRV was done, including appraisals of all facilities. The amendment also had language for a workgroup to identify other factors not captured by an appraisal that could be considered in setting the capital rate. We explained to legislators that the implementation timing would allow them to review the new system and the resulting rates and cost in the next budget.

Our second amendment would remove the language in HB 96 that would prohibit any new lease of a SNF from a REIT. The administration's proposal also applied to hospitals, but we were not addressing them. The language in HB 96 would apply to any change in the existing lessee as well as buildings not currently leased from a REIT, whether they were new construction or existing facilities. Key legislators asked us to work with the administration on a possible compromise. We tried to engage the administration, but no substantive conversations had taken place, so we were pushing to eliminate the REIT language. If we eventually reached an agreement with the administration, it could be put in the bill later in the process.

Erin Hart discussed ODM's recoupment of Medicaid overpayments. The recoupments related to duplicate payments at the beginning of PNM and ODM's mass reprocessing of claims in December 2023. The reprocessing was done as type of bill 217, which can't have patient liability applied. As a result, providers were overpaid millions.

One member had a recoupment in February 2024 in which ODM took back all the money at once. Afterward, we asked ODM to stagger recoupments so the impact on cash flow would be more manageable. Two weeks before the committee meeting, ODM said they emailed providers, telling them they would get reports of proposed recoupments and the eventual takebacks would be gradual. Most providers didn't get the email, so we asked ODM to put future notices in the PNM correspondence folder or tell us the role of the people who were emailed.

Then on March 6, providers saw massive recoupments on their remittance advice reports. ODM wasn't just taking back the overpayment but the entire claim and didn't replace the payment. These recoupments did not end up hitting the bank but were an obvious concern. We reached out to ODM in a 911 mode. ODM reversed the recoupments for that payment run, but not before they sent the remit files to the clearinghouses. They also sent the reversals, but some recoupments hit anyway. Providers received two new remits in PNM. They couldn't balance the payments with those remits. They had to use the original recoupment remit, although some still didn't balance.

Other recoupment issues also were happening at the time of the committee meeting. We were following up with ODM on the process for mass recoupments relative to issues such as who would get the notice and confirming that the actual takebacks would be staggered.

Nathan Carder said they had the same issue with Molina, through a contractor they were using for recoupment. It was larger than it should have been. He couldn't get answers from anyone. Molina was taking their entire monthly payment.

Ms. Hart said there were eligibility issues with the managed care plans that stemmed from a PNM update on February 24. It fixed some things like the MAGI designation but broke other things. The biggest problem was retroactive redesignation of MCO coverage, which was resulting in recoupment of claims over a period of years. These redesignations appeared to be incorrect, as the MCOs had been making payments over all that time. Ms. Hart asked committee members to watch out for these recoupments. Humana was doing takebacks for a third-party liability situation that did not exist.

A problem with CareSource Medicaid secondary claim codes that were not useable for Medicare bad debt had been resolved. Chair Leonard had drafted a letter for CareSource saying the codes meant the claim was paid at zero, not denied. The Chair said the letter was needed only in the case of a bad debt audit.

Ms. Hart said fee-for-service payments for private rooms seemed to be working. Providers should email NF Policy if they had issues. Managed care, however, was still a problem, especially Aetna. They finally identified why they were not accepting the claims. Because the issue had not been fixed at the time of the committee meeting, Ms. Hart recommended billing first without the add-on, then rebilling once the fix was made.

UHC reprocessed claims on February 15. If any private room claims were not paid after that date, there was a different reason, unless the denials applied to all claims. In the latter case, the provider may have been missed in the reprocessing. Humana and AmeriHealth had problems with private room claims that appeared to be systemic. The claims were accepted but then denied. About 10% of all private room claims to Buckeye were being denied. We didn't know why and suggested requesting reconsideration. CareSource was underpaying because they applied patient liability to both lines on the claim. They were researching the issue and planned to

reprocess the claims. Molina had no problems. Bill Levering asked in chat if Medicaid was paying the add-on. Ms. Hart added that hospice claims for private rooms were paying.

Mr. Van Runkle said ODM began the latest round of exception reviews the week of the committee meeting. They were of 4th quarter 2024 and applied only to facilities that had not frozen their CMLs. Along with the notices for the first exception reviews in this batch, Myers and Stauffer included a policy document that previously had not been circulated or posted anywhere. It bore an effective date of August 1, 2021. Most of the policies related to the exception review process, but one addressed documentation, especially for ADLs, and would apply to any building that could be subject to a review. At the time of the committee meeting, Myers and Stauffer had supplied the policy document only to facilities experiencing exception reviews, so we were trying to get the information out to members broadly. A couple of items in the documentation policy appeared to conflict with the RAI Manual, but we wanted members to be aware anyway.

Mr. Van Runkle updated the committee on the federal budget legislation. The House and Senate both passed budget resolutions, which would set the stage for reconciliation, but they were very different. The House resolution included extending the 2017 tax cuts, which would cost \$4.5 trillion, along with spending cuts to partially offset the cost. The House Energy and Commerce Committee, which had jurisdiction over Medicaid, was tasked with identifying \$880 billion in cuts over the next 10 years. The Senate agreed to use the House version, but Senators had concerns about Medicaid cuts. The Senate was looking at considering the tax cuts to be part of the baseline, which would reduce the need for spending cuts. The Senate Parliamentarian would determine whether the tax cuts could be included in the baseline, which was a new concept. Even so, some hardline Republicans in the House wanted spending cuts for deficit reduction.

The Friday before the committee meeting, Congress passed a continuing resolution to keep the federal government funded until the end of the federal fiscal year on September 30. The President signed the bill the next day. It averted a government shutdown and generally kept spending at the FY 2024 level. The legislation also extended the pandemic-era telehealth flexibilities, most notably allowing therapy to be delivered via telehealth and waiving the restriction that telehealth could be used only in rural areas.

The Chair asked about any other business. Eli Coury said he would be meeting with Cuyahoga County on Medicaid eligibility issues.

Mr. Van Runkle said the next meeting was tentatively set for April 16.

The meeting was adjourned.

Attendance:

First Name	Last Name	7/25/24	8/22/24	9/18/24	10/16/24	11/21/24	12/18/25	1/15/25	2/19/25	3/19/25
Joe	Abraham				P	P	P	P	P	
Jacqueline	Altier					P				
Josh	Anderson	P	P	P	P	P		P		
Steve	Anderson	P	P	P	P	P				P
Edward	Beatrice	P	P	P	P	P	P		P	P
Kayla	Bell							P	P	
Donna	Bicker								P	
Jennifer	Bidka	P	P		P	P	P	P	P	
Stephanie	Blakeman			P	P	P	P		P	P
Shlomo	Brisk		P	P	P		P			P
Stephanie	Browning	P	P	P	P	P	P	P	P	P
Eric	Buls	P	P		P	P	P	P	P	P
Nancy	Burden						P	P	P	P
Tim	Cahill									
Jennifer	Campbell	P		P	P	P	P	P	P	P
Nathan	Carder	P	P			P				P
Bruce	Carpenter			P				P	P	P
Steven	Carrico	P	P	P	P	P		P	P	P
Jennifer	Cidila		P		P				P	
Brian	Coil							P		
Kimberly	Corrigan	P	P				P			
Gabrielle	Corwin		P	P	P	P	P	P		
Russell	Corwin	P	P	P	P		P	P	P	P
Eli	Coury									P
Scott	Cunningham	P		P	P	P	P	P	P	P
Tracie	D'Amato	P	P	P	P	P	P	P	P	P
Tammy	Davis		P	P	P	P			P	
Tammi	DeSimone								P	
Diane	Dietz	P		P	P	P	P	P	P	P
Titus	Donnell				P					
Josh	Dorn							P		P
Mike	Driver	P	P							
Matthew	Duddy	P	P	P	P	P	P	P	P	P
David	Elmore	P	P		P	P	P	P	P	P
John	Fleischer	P	P	P			P	P	P	
Junior	Foster									
Austin	Gerber		P						P	

Michelle	Gill	P	P	P	P	P	P		P	P
Priscilla	Glidewell					P	P	P	P	P
Brad	Granger	P		P	P	P	P	P	P	P
Curtis	Green	P								
Nikita	Grimes						P		P	
Tiffany	Hall					P	P	P	P	
Moriel	Hamui						P			
Emily	Hand	P	P	P	P	P	P		P	P
Janet	Harris	P		P	P	P		P	P	
Erin	Hart	P	P		P	P		P	P	P
Scott	Heichel			P			P			P
Nick	Hicks	P	P	P	P	P	P	P	P	P
Sarah Jane	Horvath								P	
Deb	Ifft	P	P	P	P	P	P	P	P	P
Nicole	Jablonski			P						
Patty	Jackson									
Debbie	Jenkins	P	P	P	P				P	P
Elizabeth	Jones		P		P					P
Brian	Karpodinis	P	P				P	P	P	
Steve	Katona	P	P	P	P	P	P	P	P	P
Ben	Kiss	P		P		P	P		P	P
Chase	Kohn									
Boris	Kushnir		P	P	P	P		P	P	P
Tonya	Lambert					P	P	P		
Liz	Lane	P	P	P		P	P	P	P	P
Paul	Lang		P	P	P	P		P	P	
Matt	Larsh								P	P
Tim	Lehman	P	P		P			P	P	
Denise	Leonard	P	P	P	P		P	P		P
Will	Levering			P	P	P	P		P	P
William	Levering			P	P		P		P	P
Beth	Lind	P	P	P		P	P	P	P	P
Tiffany	Lockhart	P		P	P	P	P			
Brian	Marrie			P	P	P	P	P		
Heidi	Mays						P			
Eileen	McCain									
Heidi	McCoy				P			P	P	
Dianne	McFarland									P
Steve	Meyer									P
Emily	Miller				P					
Tracy	Mitchell	P	P	P	P	P	P	P		P
Angie	Moore	P	P				P		P	

Tammy	Moyer-Wilson		P							
Matt	Murray					P			P	
Bob	Nedrich	P	P	P	P	P	P	P	P	P
Jeanna	Neiheisel			P						
Rey	Nevarez			P		P				P
Brian	Newman						P			P
Daniel	Newman	P				P				
Karen	Nofziger	P								P
Barb	Notardonato-Cole	P	P			P	P		P	
Rosemary	Orlando, CPA	P	P		P		P		P	P
Erin	Overla									
Matthew	Pool									
Derrick	Ratliff	P			P	P				P
Paula	Reape	P	P		P	P		P	P	P
Auston	Reaser	P	P	P	P		P	P		P
Todd	Rice	P		P		P	P	P		
Jennifer	Richter	P								
Chanda	Robson	P	P	P		P	P	P	P	P
Dominic	Romeo								P	P
Rick	Russo									
Cheryl	Schermerhorn	P	P	P	P	P	P	P	P	P
Jane	Schoof	P	P				P			
Hemant	Shah	P				P			P	P
Bob	Sharon									
Tony	Shaw	P	P			P	P	P	P	P
Dwayne	Shepherd	P		P	P			P	P	
Dean	Shipman									
Mike	Shoffner	P	P	P		P	P	P		P
Pauline	Siler	P	P	P	P			P	P	P
Jessica	Siu	P	P				P		P	P
Pamela	Skrzynski						P	P	P	
Jana	Smith	P	P	P	P	P	P	P	P	P
Adam	Swartz									P
Sravani	Tallapaneni				P					
Cindy	Thomas					P			P	
Katie	Tira			P	P	P			P	
Gina	Toigo	P	P	P	P	P	P		P	
Stephanie	Trainer	P	P	P	P	P	P	P	P	P
Julie	Uhler					P		P	P	
Pete	Van Runkle	P	P	P	P	P	P	P	P	P
Megan	Wahl	P	P	P	P		P	P	P	P
Anastasia	Waltz							P		P

Jessi	Wells				P	P	P			P
Matthew	Wine	P	P	P	P		P	P	P	P
Morgan	Wright	P	P	P		P	P	P	P	P
Valerie	Youell								P	
Dave	Zabo	P	P							