

5101:6-2-40 PACT NOTICES.

(A) PRIOR NOTICE OF ENROLLMENT

- (1) WHEN THE RECIPIENT MONITORING AND REVIEW SECTION, ODHS, INTENDS TO ENROLL AN INDIVIDUAL IN THE PRIMARY ALTERNATIVE CARE AND TREATMENT (PACT) PROGRAM, THE INDIVIDUAL SHALL BE PROVIDED PRIOR WRITTEN NOTICE OF THE PROPOSED ENROLLMENT, WITH A COPY TO THE LOCAL AGENCY.
- (2) THE NOTICE SHALL BE MAILED OR PERSONALLY DELIVERED NO LESS THAN FIFTEEN CALENDAR DAYS PRIOR TO THE EFFECTIVE DATE OF ENROLLMENT.
- (3) THE NOTICE SHALL CONTAIN A CLEAR AND UNDERSTANDABLE STATEMENT OF THE PROPOSED ACTION AND THE REASONS FOR IT, CITE THE APPLICABLE REGULATIONS, EXPLAIN THE INDIVIDUAL'S RIGHT TO AND THE METHOD OF OBTAINING A STATE HEARING, EXPLAIN THE CIRCUMSTANCES UNDER WHICH A TIMELY HEARING REQUEST WILL RESULT IN CONTINUED UNRESTRICTED BENEFITS, AND CONTAIN THE NAME AND TELEPHONE NUMBER OF THE PERSON TO CONTACT FOR MORE INFORMATION AND A TELEPHONE NUMBER TO CALL ABOUT FREE LEGAL SERVICES.
- (4) THE NOTICE SHALL EXPLAIN THE METHOD OF AND THE DEADLINE FOR SELECTING A DESIGNATED PHYSICIAN AND/OR PHARMACY, AND THAT THE RECIPIENT MONITORING AND REVIEW SECTION WILL SELECT A PHYSICIAN AND/OR PHARMACY IF A SELECTION IS NOT RECEIVED BY THE DEADLINE.
- (5) THE "PRIOR NOTICE OF PACT PROGRAM ENROLLMENT," ODHS 4028, SHALL BE USED.

(B) NOTICE OF CONTINUED ENROLLMENT

- (1) WHEN THE RECIPIENT MONITORING AND REVIEW SECTION DETERMINES, AT THE END OF THE INDIVIDUAL'S PACT PROGRAM ENROLLMENT PERIOD, THAT THE ENROLLMENT SHOULD BE CONTINUED, THE INDIVIDUAL SHALL BE PROVIDED WRITTEN NOTICE OF THAT DETERMINATION, WITH A COPY TO THE LOCAL AGENCY.
- (2) THE NOTICE SHALL CONTAIN A CLEAR AND UNDERSTANDABLE STATEMENT OF THE DETERMINATION AND THE REASONS FOR IT, CITE THE APPLICABLE REGULATIONS, EXPLAIN THE INDIVIDUAL'S RIGHT TO AND THE METHOD OF OBTAINING A STATE HEARING, AND CONTAIN THE NAME AND TELEPHONE NUMBER OF THE PERSON TO CONTACT FOR MORE INFORMATION AND A TELEPHONE NUMBER TO CALL ABOUT FREE LEGAL SERVICES.
- (3) "NOTICE OF CONTINUED ENROLLMENT IN THE PACT PROGRAM," ODHS 4030, SHALL BE USED.

(C) NOTICE OF DENIAL OF A DESIGNATED PROVIDER CHANGE.

- (1) WHEN THE RECIPIENT MONITORING AND REVIEW SECTION DENIES A PACT INDIVIDUAL'S REQUEST FOR A CHANGE OF DESIGNATED MEDICAL ASSISTANCE PROVIDER, THE INDIVIDUAL SHALL BE PROVIDED WRITTEN NOTICE OF THE DENIAL,

WITH A COPY TO THE LOCAL AGENCY.

- (2) THE NOTICE SHALL CONTAIN A CLEAR AND UNDERSTANDABLE STATEMENT OF THE DENIAL AND THE REASONS FOR IT, CITE THE APPLICABLE REGULATIONS, EXPLAIN THE INDIVIDUAL'S RIGHT TO AND THE METHOD OF OBTAINING A STATE HEARING, AND CONTAIN THE NAME AND TELEPHONE NUMBER OF THE PERSON TO CONTACT FOR MORE INFORMATION AND A TELEPHONE NUMBER TO CALL ABOUT FREE LEGAL SERVICES.

- (3) "NOTICE OF DENIAL OF DESIGNATED PROVIDER CHANGE," ODHS 4029, SHALL BE USED.

Effective Date: June 1, 1993

Certification: Arnold R. Tompkins

May 18, 1993
Date

Promulgated Under: Revised Code Chapter 119.

Statutory Authority: Revised Code Section 5101.35

Rule Amplifies: Revised Code Section 5101.35

Review Date: 12-30-02

Prior Effective Dates: 9-1-76, 4-1-80, 10-1-81, 5-1-82, 7-1-82, 4-1-83, 9-24-83, 11-1-83(Temp.), 12-1-83, 1-1-84, 3-1-84(Temp.), 6-1-84, 10-3-84(Emer.), 12-22-84, 4-1-86, 4-1-87, 9-1-87, 7-1-88(Emer.), 9-25-88, 2-1-90,