



JOHN R. KASICH
GOVERNOR
STATE OF OHIO

Executive Order 2013-03K

The Emergency Amendment of Rule 5101:3-2-30 of the Ohio Administrative Code
by the Ohio Office of Medical Assistance

WHEREAS, the Ohio Hospital Franchise Fee ("HFF") program, established by Section 5112.41 of the Ohio Revised Code, establishes an annual assessment upon Ohio hospitals to provide revenue for the Ohio Medicaid program.

WHEREAS, the HFF program affects nearly all Ohio hospitals and allows the Ohio Office of Medical Assistance to support Medicaid expenses, including reimbursement of inpatient and outpatient hospital rates and related programs authorized by Am. Sub. H.B. 153 of the 129th General Assembly.

WHEREAS, the Office of Medical Assistance, after working with the Ohio Hospital Association, has determined the HFF assessment rate and payment schedule to support the 2013 HFF program.

WHEREAS, Section 5112.41 of the Ohio Revised Code authorizes the Office of Medical Assistance to promulgate rules for the administration of the HFF program, but insufficient time remains to establish a permanent rule in time to fully realize the purposes of the 2013 HFF program in this fiscal year.

WHEREAS, Section 119.03(F) of the Ohio Revised Code authorizes the Governor, upon the request of a state agency, to determine that an emergency exists necessitating the immediate adoption, amendment, or rescission of an agency rule.

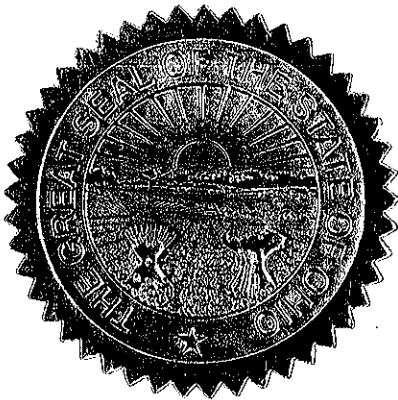
WHEREAS, the Office of Medical Assistance has requested a determination whether an emergency exists that requires the immediate amendment of Rule 5101:3-2-30 of the Ohio Administrative Code in order for the Office of Medical Assistance, pursuant to Section 5114.41 of the Ohio Revised Code, to make emergency changes to the rule to set the assessment rate and payment schedule for the 2013 HFF program year.

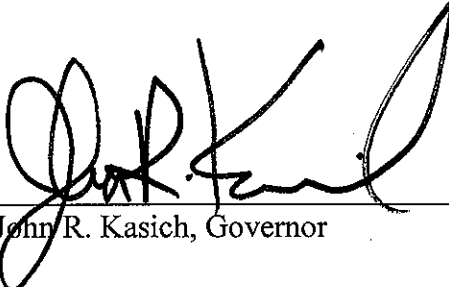
NOW THEREFORE, I, John R. Kasich, Governor of the State of Ohio, have determined, upon the request of the Office of Medical Assistance, that an emergency exists requiring the immediate amendment of Rule 5101:3-2-30 of the Ohio Administrative Code by the Office of Medical Assistance. Further, I hereby order that the procedures prescribed by Section 119.03 of the Ohio Revised Code with respect to the amendment of such specified rule

be suspended and the Office of Medical Assistance be permitted to immediately amend this rule by electronically filing it with the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review.

Further, I hereby order that this Executive Order be filed in electronic form with the Office of Medical Assistance, the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review.

I signed this Executive Order on May 9th, 2013, in Columbus, Ohio, and it will expire at the end of the ninetieth day it is in effect.





John R. Kasich, Governor

ATTEST:

Jon Husted, Secretary of State