



Ohio Administrative Code

Rule 5160-1-25 Interest on overpayments made to medicaid providers.

Effective: September 4, 2014

(A) Except for medicaid contracting managed care plans (MCPs), and nursing facilities and intermediate care facilities for individuals with intellectual disabilities (ICF/IID) rate recalculations performed in accordance with sections 5165.41 and 5124.41 of the Revised Code, any provider of services or goods contracting with the Ohio department of medicaid (ODM) pursuant to Title XIX of the Social Security Act who, without intent, obtains payment from the medicaid program in excess of the amount to which the provider is entitled becomes liable for payment of interest charged in accordance with this rule on the amount of the overpayment. The interest rate charged is the average bank prime rate in effect on the first day of the calendar quarter during which the provider receives notice of the excess payment, as determined in accordance with section 5164.60 of the Revised Code. Interest payments shall be calculated on the basis of simple interest.

(B) Interest payments shall be charged on a daily basis for the period from the date the payment was made to the date upon which repayment is received by the state.

(C) The "date payment was made" shall mean the following:

(1) For any reasonable cost basis, prospective payment basis, or other cost-related rate final settlement issued by ODM, the "date payment was made" shall be ten days from the date the final settlement is received by the provider as shown by the U.S. postal service return receipt slip, with a notice of rights to appeal pursuant to Chapter 119. of the Revised Code.

(2) For audits conducted in accordance with rule 5160-1-27 of the Administrative Code, the "date payment was made" shall be the latest date a warrant or electronic funds transfer (EFT) was issued to pay an item included in the random sample.

(3) For post-payment reviews conducted in accordance with rule 5160-1-27 of the Administrative Code, the "date payment was made" shall be the latest date a warrant or EFT was issued in payment of a claim that is included in the review.



(D) The "date upon which repayment is received by the state" shall mean the following:

(1) In the case of repayment by check or EFT, the "date upon which repayment is received by the state" shall be the date the repayment is date-stamped by ODM, the date the repayment is deposited as certified mail with the U.S. postal service, or the date the EFT is deposited in the state's account.

(2) In the case of repayment by one or more offsets implemented by the ODM claims adjustment unit against future claims payments owed to the provider, the "date upon which repayment is received by the state" shall be the date on which the total amount of the overpayment is fully recovered.

(E) ODM may waive interest when voluntary repayment is made by a provider before any notification by ODM that an overpayment has occurred.