



Ohio Respiratory Care Board

HME Division

77 South High Street, 16th Floor * Columbus, Ohio 43215-6108 * (614)644-4732 * Fax (614)728-8691

June 16, 2008

TO: Medicare DMEPOS Competitive Bidding Program Contract Suppliers

FROM: Christopher H. Logsdon, MBA, RCP
Executive Director

SUBJECT: Ohio Respiratory Care Board licensure/certification requirements for providers of certain home medical equipment to sell, deliver, install, maintain, replace, or demonstrate home medical equipment in the State of Ohio

The purpose of this correspondence is to advise you that Chapter 4752 of the Ohio Revised Code requires a license or certification of registration for Home Medical Equipment providers choosing to sell, deliver, install, maintain, replace, or demonstrate specific home medical equipment in the State of Ohio, regardless of the physical address of the home medical equipment service provider. Under Ohio law, each facility doing business in Ohio must hold a license or certificate of registration. Defined home medical equipment for the purposes of Chapter 4752 of the Ohio Revised Code falls into three categories: life sustaining equipment, technologically sophisticated equipment, or other equipment as defined by the Ohio Respiratory Care Board. Rule 4761:1-3-02 further defines the type of equipment that falls into these categories and the Board, by order, has added additional items. A complete list of these items is attached. Section 4752.02 (B) of the Ohio Revised Code also specifies exemptions from this requirement for certain DME providers.

You can obtain all forms and information needed on the Board's website at www.hme.ohio.gov. If you are a home medical equipment facility that provides home medical equipment services and equipment as defined under Chapter 4752 of the Revised Code, please obtain a copy of the current laws and rules regulating home medical equipment in the State of Ohio and the necessary forms to obtain the correct authorization. If you are unsure of your eligibility for a home medical equipment license or certificate of registration, the Board has developed a self-evaluation form. Providers that do not sell, deliver, install, maintain, replace, or demonstrate any listed home medical equipment or providers that are exempted from licensure should complete an affidavit of exception found under "forms and applications." Eligible providers accredited by an organization recognized by the Ohio Respiratory Care Board (not those recognized by CMS), must apply for a certificate of registration.

Providers can contact the ORCB to learn more about the licensure/registration requirement at www.respiratorycare.ohio.gov or by calling 614-644-4732.

Applications for Ohio HME licensure or certificate of registration must be mailed directly to the Ohio Respiratory Care Board at:

Ohio Respiratory Care Board
77 South High Street, 16th Floor
Columbus, Ohio 43215-6108
Attn: Marcia Tatum, HME Manager

Ohio Medicaid

To be eligible for Ohio Medicaid reimbursement, including Medicare Part B crossover claims, providers must have on file with the Ohio Department of Job and Family Services (ODJFS) a copy of their license or certificate of registration, or statement establishing an exemption under section 4752.02 of the Ohio Revised Code. DME providers who believe they are exempt from licensure/certification requirements must submit a notarized statement and/or other acceptable proof documenting their reason for exemption. Failure to submit acceptable proof of compliance will result in denial of all DME claims for services rendered in violation of Chapter 4752.

Additionally, Medicare DMEPOS contract suppliers are required to submit proof of licensure, certification of registration, or exemption from licensure or registration by the Ohio Respiratory Care Board (ORCB) to ODJFS to receive reimbursement for Medicare Part B crossover claims for certain DME, effective for dates of service on and after September 15, 2005.

Providers should submit documentation of compliance with Chapter 4752 to Ohio Medicaid's Provider Enrollment Unit at:

Provider Network Management Section
Provider Enrollment Unit
P.O. Box 1461
Columbus, OH 43216-1461

All Ohio Medicaid enrollment and participation questions should be directed to the Provider Enrollment Unit at 1-800-686-1516. Additionally, ODJFS has a DME Question Line and Mailbox to improve response to provider questions regarding program coverage and limitations. The number for this service is 614-466-1503.

A complete list of Medicaid-covered DME procedure codes, that, if rented or sold, require providers to comply with this licensure is posted at:

<http://jfs.ohio.gov/ohp/infodata/hipacomcds.stm>.

Rule 4761:1-3-02 of the Ohio Administrative Code lists the following eligible equipment:

(A) "Life-sustaining equipment" means equipment prescribed by an authorized health care professional that mechanically sustains, restores, or supplants a vital bodily function, such as breathing, including but not limited to:

- (1) Ventilators;
- (2) Oxygen Concentrators;
- (3) Oxygen Liquid Systems;
- (4) Oxygen Compressed Gas Systems;
- (5) Non Invasive Ventilator System (i.e. Bi-Level, Iron Lungs, Rocking Beds, Diaphragmatic pacers, etc.);

(B) "Technologically-sophisticated" means medical equipment prescribed by an authorized health care professional that requires individualized adjustment or regular maintenance by an HME service provider to maintain a patient's health care condition or the effectiveness of the equipment, including but not limited to:

- (1) Oxygen conservation devices;
- (2) CPAP (continuous positive airway pressure) devices;
- (3) Bi-level airway pressure (BiPAP) devices;
- (4) Intrapulmonary percussive ventilation (IPV) devices;
- (5) Intermittent positive pressure breathing (IPPB) devices;
- (6) Cough-assist mechanical in-exsufflator;
- (7) Apnea monitors;
- (8) Percussors for chest physiotherapy;
- (9) Suction machines;
- (10) Feeding pumps;
- (11) Infusion pumps;
- (12) Continuous passive motion (CPM) devices;
- (13) Transcutaneous electric nerve stimulators (TENS);
- (14) Custom seating or positioning systems;
- (15) Custom rehab equipment (i.e. standers & gait trainers);

(C) "Other" equipment is an item specified by the Ohio respiratory care board in rules adopted under division (b) of section [4752.17](#) of the revised code, including but not limited to:

- (1) Auto-titrating airway devices;
- (2) Pulse oximeters;
- (3) Home photo therapy (Bili lights or blankets);
- (4) Large volume air compressors for tracheostomy;
- (5) Electric wheelchairs and custom scooters;
- (6) In-home patient lifts;
- (7) Individually sized or customized accessories that are an integral part of equipment defined in paragraphs (A), (B), and (C) of this rule.

Effective: 05/24/2006

In addition, the Board, by order, has added the following equipment:

- (1) Bone growth stimulators
- (2) Drop foot stimulators
- (3) Vacuum Assisted Closure (VAC) devices