

**3701-43-24 Medically handicapped children's medical advisory council.**

- (A) The medically handicapped children's medical advisory council, created by section 3701.025 of the Revised Code, shall consist of twenty-one members appointed by the director for terms set by paragraph (B) of this rule. The director shall appoint members based upon the following criteria:
  - (1) All members shall be licensed physicians, surgeons, dentists and other professionals in the field of medicine;
  - (2) All members shall be providers; and
  - (3) The members shall be representative of the various disciplines, geographic areas of Ohio and types of treatment facilities, such as hospitals, private and public health clinics and private physicians' offices, involved in the treatment of children with medically handicapping conditions.
- (B) Except as otherwise provided in this paragraph, members of the medical advisory council shall serve terms of seven years. The director may reappoint members for one term.
- (C) Members of the medical advisory council shall serve at the pleasure of the director and shall be removed from membership for nonperformance of duties or for failure to continue to meet the qualifications established by paragraph (A) of this rule. The director may appoint a member, subject to the provisions of paragraph (A) of this rule, to fill a vacancy occurring during a member's term because of death, resignation or removal. A member appointed to fill a vacancy shall serve for the duration of the unexpired term and may be reappointed.
- (D) The medical advisory council shall meet at least annually. It shall adopt bylaws to govern its meetings and organization and the meetings and organization of its committees and shall review and update the bylaws periodically. The bylaws shall provide for the establishment by the medical advisory council of an executive committee of seven members which shall have and exercise all powers and duties of the medical advisory council. The medical advisory council and the executive committee also may establish standing subcommittees and ad hoc subcommittees to advise the medical advisory council and the director on matters that require special or extended consideration. The subcommittees may include individuals other than members of the medical advisory council.
- (E) The medical advisory council shall advise the director regarding:
  - (1) The suitable quality of medical practice for providers;
  - (2) The requirements for medical eligibility for the program; and
  - (3) Other aspects of the administration of the program.
- (F) One or more members of the medical advisory council may provide advice to the director, upon request, concerning medical issues such as:
  - (1) Whether a physician provider applicant should be approved as a provider, based upon an interview with the physician and/or review of the physician's application;

- (2) Whether a physician provider applicant has skill and significant experience in the treatment of children or adolescents with handicapping conditions;
- (3) The appropriate scope of services for which a provider should be approved or whether a physician provider should be approved as a limited provider under paragraph (D) of rule 3701-43-03 of the Administrative Code;
- (4) Whether an out-of-state provider applicant should be approved or provision of goods or services outside of Ohio should be authorized;
- (5) Whether particular conditions are medically eligible conditions under rule 3701-43-17 of the Administrative Code;
- (6) Whether services or goods requested to be provided to a recipient meet the definition of diagnostic services or treatment services or goods established by paragraphs (D) and (V) of rule 3701-43-01 of the Administrative Code;
- (7) Whether treatment goods or services should be authorized for an associated condition under paragraph (E)(3) of rule 3701-43-18 of the Administrative Code;
- (8) The development of medical policies; or
- (9) Any other medical issue.

Five Year Review (FYR) Dates: 10/28/2013 and 10/28/2018

CERTIFIED ELECTRONICALLY

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10/28/2013

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Date

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