

173-3-01

**Introduction and definitions.**

(A) Introduction: Chapter 173-3 of the Administrative Code establishes criteria that each AAA shall follow when entering into a provider agreement for the provision of a service by a non-certified provider under section 173.392 of the Revised Code. (See Chapter 173-39 of the Administrative Code for criteria regarding providers certified under section 173.391 of the Revised Code.)

(B) Definitions for this chapter:

- (1) "Activities of daily living" ("ADLs") means eating, dressing, bathing, toileting, transferring in and out of bed/chair, and walking.
- (2) "Area agency on aging" ("AAA") means a public or non-profit entity that ODA designates, under Section 305 of the Older Americans Act, to serve as an AAA. Each AAA receives state and federal funds from ODA to administer aging-related programs within a particular PSA.
- (3) "Assessment" means a gathering of information about a person's current situation and ability to function. It is comprehensive and identifies the person's strengths, problems, and care needs in the following major functional areas: physical health, utilization of medical care, ADLs, IADLs, mental and social functioning, financial resources, physical environment, and utilization of services and supports.
- (4) "Assistance with self-administration of medication" has the same meaning as in section 3722.011 of the Revised Code.
- (5) "Care-coordination program" means a program that an AAA may develop to coordinate and monitor the delivery of services. Examples of services that an AAA may coordinate through a care-coordination program are screening, assessment, and reassessment; care planning; and ongoing contact between the case manager and the consumer.
- (6) "Consumer's signature" means the signature, mark, or electronic signature of a consumer, or the consumer's family caregiver, who may verify that a service was performed. Examples of means to record an electronic signature are the "SAMS Scan," "MJM Swipe Card," call-in verification, etc.
- (7) "Family caregiver" has the same meaning as in Section 302 of the Older Americans Act.
- (8) "Focal point" means a highly visible facility designated by an AAA as a focal point, under Section 306 of the Older Americans Act, where anyone in the community may obtain information and access to services for older persons and that encourages the maximum collocation and coordination of services.
- (9) "Incident" means an event that is inconsistent with the routine care or routine

delivery of services to a consumer. An incident may involve a consumer, family caregiver (to the extent that it impacts a consumer), provider, provider's staff or facility, another facility, AAA's staff, ODA's staff, or other administrative authorities. Examples of an incident are abuse, neglect, abandonment, an accident, or an unusual situation that results in an injury to a person or damage to the person's property or equipment.

- (10) "Instrumental activities of daily living" ("IADLs") means preparing meals, shopping for personal items, medication management, managing money, using the telephone, doing heavy housework, doing light housework, and the ability to use available transportation without assistance.
- (11) "Licensed practical nurse" ("LPN") has the same meaning as in section 4723.01 of the Revised Code.
- (12) "ODA" means "the Ohio department of aging."
- (13) "Older Americans Act" means the "Older Americans Act of 1965," 79 Stat. 219, 42 U.S.C. 3001, as amended in 2006.
- (14) "Older Americans Act funds" means funds appropriated to ODA through Title III of the Older Americans Act and any source used to match those funds. For the purposes of this chapter, "Older Americans Act funds" does not mean funds for an ombudsman program.
- (15) "Older person" means, for the purposes of services reimbursed with Older Americans Act funds, any person sixty years of age or older, unless a different age is required by a state or federal law.
- (16) "Plan of treatment" means a physician's orders.
- (17) "Provider" means a person who enters into a provider agreement with an AAA to provide a service, product, or program to consumers under this chapter or Chapter 173-4 of the Administrative Code. These are the three categories of providers:
- (a) "Agency provider" means a legally-organized entity that employs staff.
- (b) "Self-employed provider" means a legally-organized entity that is owned and controlled by one person and that does not employ a staff.
- (c) "Consumer-directed individual provider" means the consumer's relative, friend, neighbor, or other person who is hired by the consumer to provide a service to the consumer under this chapter or Chapter 173-4 of the Administrative Code.
- (18) "Provider agreement" means a written agreement entered into between a

provider and an AAA to procure a specific service, product, or program.

(19) "Registered nurse" ("RN") has the same meaning as in section 4723.01 of the Revised Code.

(20) "Service plan" means a written outline of services that are provided to a consumer, regardless of the funding source for the services.

Effective: 02/19/2009

R.C. 119.032 review dates: 09/30/2013

CERTIFIED ELECTRONICALLY

---

Certification

02/09/2009

---

Date

Promulgated Under: 119.03  
Statutory Authority: 173.02; 173.04; 173.392; Section 305 (a)(1)(C) of the Older Americans Act of 1965, 79 Stat. 210, 42 U.S.C. 3001, as amended in 2006; 45 C.F.R. 1321.11  
Rule Amplifies: 173.04; 173.392; Older Americans Act of 1965, 79 Stat. 210, 42 U.S.C. 3001, as amended in 2006