

TO BE RESCINDED

173-3-01 **Cost sharing.**

Each area agency on aging (AAA) shall develop policies establishing cost sharing guidelines for the recipients of services funded by the Ohio department of aging. The policies developed by the AAAs shall utilize a sliding fee scale to determine the amount a recipient of services will be asked to pay toward the contract rate the AAA pays for the services the recipient receives. AAAs may delegate their responsibility for the collection of client cost-sharing payments under this rule to their provider agencies.

(A)

- (1) Except as otherwise provided in paragraph (A)(2) of this rule, the cost sharing policies developed by the AAAs shall utilize the following sliding fee scale:

Recipient's individual income (as a percentage of federal poverty level)	Suggested cost-share payment (as a percentage of contract cost of service)
150-175%	10%
176-200%	20%
201-225%	30%
226-250%	40%
251-300%	50%
301-325%	60%
326-350%	70%
351-375%	80%
376-400%	90%
400%+	100%

- (2) With prior approval from the Ohio department of aging, an AAA may substitute its own sliding fee scale for the scale outlined in paragraph (A) of this rule.

(B) The cost sharing policies developed by each AAA must ensure that the AAA shall:

- (1) Directly and through its providers, widely distribute state created written materials that describe the criteria for cost sharing and the state's sliding fee scale, and that notify recipients they may not be denied services funded with

Older Americans Act funds based upon their failure or refusal to pay the proposed cost-sharing fee;

- (2) Establish a procedure for determining and collecting recipients' cost sharing obligations;
 - (3) Determine a recipient's income based solely upon the recipient's self-declaration;
 - (4) Issue a receipt of payment upon request to any recipient making a payment pursuant to policies established under this rule;
 - (5) Establish appropriate procedures to safeguard and account for all funds collected through the cost sharing process;
 - (6) Retain records of all the revenue collected through cost sharing;
 - (7) Protect the privacy and confidentiality of each service recipient with respect to the declaration or non-declaration of individual income and to any share of the costs paid or unpaid by the individual.
- (C) All income derived from the fees collected in accordance with this rule shall be utilized by the AAAs or their providers to expand the service for which such payment was given in the county from which the fee was collected.
- (D) An AAA may request a waiver to this rule, insofar as it relates to services funded in whole or in part with Older Americans Act funds, and the department of aging shall approve the request if the AAA can adequately demonstrate that:
- (1) A significant proportion of persons receiving services under the Older Americans Act subject to cost sharing in the planning and service area served by the AAA have incomes below one hundred and fifty per cent of the poverty level; or,
 - (2) Cost sharing would be an unreasonable administrative or financial burden upon the AAA.
- (E) As used in this rule:
- (1) "Services" means all services paid for in whole or in part with Older Americans Act, Alzheimer's respite and senior community services block grant funds

distributed by the department of aging, except: education, training, and support group services provided through the Alzheimer respite care program or Title III(E) of the Older Americans Act; transportation services, information and assistance, outreach, benefits counseling, or case management services; ombudsman, elder abuse prevention, legal assistance, or other consumer protection services; and congregate and home delivered meals funded from any source.

- (2) "Federal poverty guideline" means the federal poverty guideline developed by the U.S. department of health and human services and published annually in the federal register pursuant to authority granted to that department under section 673(2) of the "Omnibus Reconciliation Act of 1981," as amended.
- (F) Each AAA shall make its cost-sharing policies effective beginning on the first day of the AAA program year beginning after the adoption of this rule.

Effective: 05/16/2005

R.C. 119.032 review dates: 10/14/2004

CERTIFIED ELECTRONICALLY

Certification

05/03/2005

Date

Promulgated Under: 119.03
Statutory Authority: 173.02
Rule Amplifies: 173.01, 173.02, 42 U.S.C.A. 3030c-2(b), Section
11.02 (Senior Community Services) of Am. Sub. H.B.
95 of the 125th G.A.
Prior Effective Dates: 9/30/01, 5/15/00, 12/14/94