

173-3-01

**Older Americans Act: introduction and definitions.**

(A) Introduction to Chapter 173-3 of the Administrative Code: This chapter regulates AAA provider agreements for ~~goods and~~ services paid, in whole or in part, with Older Americans Act funds.

(B) Definitions for Chapters 173-3 and 173-4 of the Administrative Code:

"AAA-provider agreement" (~~"agreement"~~) (agreement) means a contract between an AAA and a provider for the provision of ~~goods or~~ services to consumers.

"Activities of daily living" (~~"ADLs"~~) (ADLs) means bathing; dressing; eating; grooming; toileting; transferring in and out of a bed or chair; and walking.

"Area agency on aging" (~~"AAA"~~) (AAA) means an entity ODA designates to be an AAA under rule 173-2-04 of the Administrative Code.

"Assessment" means a gathering of information about a person's strengths, problems, financial resources, and care needs in the following major functional areas: physical health, utilization of medical care, ADLs, IADLs, mental and social functioning, physical environment, and utilization of services and supports.

"Assistance with self-administration of medication" has the same meaning as in as in paragraph (C) of rule 4723-13-02 of the Administrative Code when the assistance is provided by an unlicensed person.

"Care-coordination program" means a program coordinating and monitoring the provision of ~~goods and~~ services.

"Caregiver" and "family caregiver" have the same meaning as "family caregiver" in ~~Section 302 of the Older Americans Act~~ 42 U.S.C. 3022.

"Competency evaluation" includes both written testing and skills testing by return demonstration to ensure the aide is able to address the care needs of the consumer to be served.

"Consumer" means, for the purposes of ~~goods or~~ services paid for, in whole or in part, 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.

"Consumer's signature" means the signature, mark, or electronic signature of a consumer, or the consumer's caregiver, verifying the provision of ~~goods and~~ services. Examples of technologies used to record electronic signatures are "Co-Pilot," "MealService," "MJM," "MySenior Center," "SAMS Scan," "Santrax," "SeniorDine," "SERVtracker," "SSAID," and call-in verification.

"Contract" has the same meaning as "AAA-provider agreement," unless the context clearly indicates otherwise.

"Day" means a twenty-four-hour period beginning and ending at midnight.

"Incident" means an event that is inconsistent with the routine care or routine provision of ~~goods and~~ services to a consumer. An incident may involve a consumer, caregiver (to the extent it impacts a consumer), provider, provider's staff or facility, another facility, an AAA's staff, ODA's staff, or other administrative authorities. Examples of an incident are abuse, neglect, abandonment, an accident, or an unusual situation resulting in an injury to a person or damage to the person's property or equipment.

"Instrumental activities of daily living" (~~"IADLs"~~) (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 get and use available transportation without assistance.

"Licensed practical nurse" (~~"LPN"~~) (LPN) has the same meaning as in section 4723.01 of the Revised Code.

"ODA" means the Ohio department of aging.

"Older Americans Act" means ~~the "Older Americans Act of 1965," 79 Stat. 219, 42 U.S.C. 3001, as amended by the "Older Americans Act Reauthorization Act of 2016," 42 U.S.C. Chapter 35.~~

"Older Americans Act funds" means the federal funds awarded to ODA through Title III of the Older Americans Act (42 U.S.C. Chapter 35, Subchapter III) and any state or local funds used to match those federal funds, regardless of whether the local funds are public or private funds. For the purposes of this chapter and Chapter 173-4 of the Administrative Code, "Older Americans Act funds" does not mean funds for an ombudsman program.

"PCA" means "personal care aide."

"Planning and service area" (~~"PSA"~~) (PSA) means a geographic region of Ohio that ODA designated as a planning and service area under rule 173-2-02 of the Administrative Code.

"Provider" means a person or entity entering into an AAA-provider agreement with an AAA to provide ~~goods or~~ services to consumers. The three categories of providers are agency providers, self-employed providers, and consumer-directed providers. "Agency provider" means a provider hiring persons to provide ~~goods and~~ services

to consumers. "Self-employed provider" means a provider who provides ~~goods and~~ services to consumers and who does not hire, or contract with, other persons to provide those ~~goods or~~ services. ~~"Consumer-directed individual"~~ "Participant-directed provider" means a provider (e.g., relative, friend, neighbor, or other person) a consumer hired and directs to provide ~~goods and~~ services to the consumer.

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

"RFP" means "request for proposal."

"Service plan" means a written outline of ~~goods and~~ services authorized for a consumer regardless of the funding source for the ~~goods or~~ services.

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