

173-3-06.3

**Older Americans Act: home modification.**

(A) "Home modification" means a ~~job-service~~ modifying elements of the interior or exterior of a consumer's home to increase accessibility and enable the consumer to function with greater independence in the home.

(1) "Home modification" includes the assessment, materials, and labor involved in any of the following:

(a) ~~A job to install~~ Installing grab bars or other devices to improve the consumer's ability to perform ADLs.

(b) ~~A job to modify~~ Modifying the interior or exterior of the consumer's home to improve the consumer's health and safety.

(c) ~~A job to install~~ Installing a wheelchair ramp to a doorway or another modification to improve the consumer's accessibility.

(d) ~~A job to repair~~ Repairing or ~~replace~~ replacing a home modification previously paid, in whole or in part, with Older Americans Act funds, if the previous modification cannot be repaired or replaced through another resource.

(2) "Home modification" does not include a service with any of the following characteristics:

(a) ~~A job another~~ Another person (e.g., a landlord) has a legal or contractual responsibility to provide the service.

(b) ~~A job~~ The service is available through Ohio medicaid state plan, a medicaid waiver program, or another government program, pursuant to 45 C.F.R. 1321.3.

(c) ~~A job~~ The service is available through third-party insurers or a community support program.

(d) ~~A job that adds to the total~~ The service would add square footage ~~of~~ to the home.

(e) ~~A job of~~ The service would provide general utility and not direct medical or remedial benefit to the consumer.

(f) ~~A job to~~ The service would repair or replace a home modification previously paid, in whole or in part, with Older Americans Act funds, that is damaged as a result of apparent abuse, misuse, or negligence.

(B) Requirements for every AAA-provider agreement for home modification paid, in whole or in part, with Older Americans Act funds:

- (1) General requirements: The AAA-provider agreement is subject to requirements in rule 173-3-06 of the Administrative Code ~~for every AAA-provider agreement for home modification paid, in whole or in part, with Older Americans Act funds.~~
- (2) Licensure or accreditation: If a job modification requires a license or ~~credentials~~ credential (e.g., an electrician, a HVAC specialist, a plumber), only a provider who possesses the current, valid license or ~~credentials~~ credential qualifies to ~~provide the job~~ modify the home.
- (3) Authorization: Before ~~providing a job~~ modifying a home, the provider shall do the following:
  - (a) Provide a written or electronic estimate to the AAA on the cost of the ~~job~~ modification.
  - (b) Obtain the AAA's written or electronic authorization to begin the ~~job~~ modification.
- (4) Consent agreement: A provider shall not modify a home without first obtaining a written or electronic consent agreement from the homeowner (which may be the consumer, the consumer's family, or a landlord) authorizing the modification and acknowledging that the homeowner understands that the home will remain in the modified state until after the consumer leaves the home.
- (5) Permits: Before ~~beginning a job~~ modifying a home, the provider shall obtain any permit and ~~pre-job~~ pre-modification inspections required by federal, state, and local laws.
- (6) Health and safety: If the provider anticipates health or safety risks to the consumer ~~during the job~~ while modifying the home, the provider shall inform the consumer and the AAA of the risks and ~~provide the job~~ modify the home on dates and times that minimize those risks.
- (7) Warranty: The provider shall provide a warranty to the AAA covering the workmanship and materials involved in the ~~job~~ provided modification.
- (8) Inspection: The provider ~~shall obtain~~ is subject to any necessary inspection, inspection report, or permit required by federal, state, and local laws or a homeowners' association to verify that the ~~job~~ modification was properly completed.

(9) ~~Job Service~~ verification: ~~The provider shall verify each job provided for which it bills the AAA using the provider's choice of either an electronic or manual system that collects all the following information~~ are the mandatory reporting items for this service that a provider retains to comply with the requirements under paragraph (B)(9) of rule 173-3-06 of the Administrative Code:

(a) Consumer's name.

~~(b) Date the job is completed.~~

(b) One of the following dates:

(i) The date the provider completes the modification if the provider only makes one modification to the home.

(ii) The date the provider completes the last modification if the provider makes multiple, related modifications to the home.

~~(c) Job description~~ Description of the modification(s).

(d) Name of each employee ~~providing the job~~ modifying the home.

~~(e) Provider's signature~~ The unique identifier of the provider to attest to the completion of the modification(s).

(f) ~~A~~ The unique identifier of the consumer or the consumer's caregiver to attest to the completion of the modification(s). During a state of emergency declared by the governor or a federal public health emergency, the provider may verify ~~each job provided~~ the completion of the modification(s) without collecting the unique identifier of the consumer or the consumer's caregiver.

(C) Units and rates:

(1) A unit of home modification is one completed ~~job~~ modification.

(2) The ~~per-job~~ rate is negotiable and subject to the approval of the AAA before the ~~job is provided~~ home is modified. It includes assessment, materials, and labor.

Effective: 1/1/2023  
Five Year Review (FYR) Dates: 10/14/2022 and 11/30/2027

CERTIFIED ELECTRONICALLY

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Certification

12/19/2022

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Date

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Statutory Authority: 121.07, 173.01, 173.02, 173.392; 42 U.S.C. 3025; 45 C.F.R. 1321.11  
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