

## TO BE RESCINDED

173-39-02.12      **ODA provider certification: Social work counseling service.**

- (A) "Social work counseling service" means a service to an individual or to an individual's family caregiver to promote the individual's physical, social, or emotional well-being. The service promotes the development and maintenance of a stable and supportive environment for the individual. The service includes crisis interventions, grief counseling, and other social-service interventions that support the individual's health and welfare.
- (B) Requirements for providers of the social work counseling service in addition to the requirements for every provider under rule 173-39-02 of the Administrative Code:
- (1) In-home: The provider shall deliver the service in the individual's residence, unless the individual and case manager authorize another arrangement.
  - (2) Assessment:
    - (a) The provider shall assess each individual, including the individual's psycho-social, financial, and environmental statuses.
    - (b) The provider shall furnish the case manager with a copy of the assessment report no later than seven business days after the provider completes the assessment.
  - (3) Treatment plan:
    - (a) The provider shall develop and revise, as necessary, with the assistance of the individual, any caregiver, and the case manager, a treatment plan that includes the recommended method of treatment and the recommended number of counseling sessions.
    - (b) The provider shall furnish the case manager with a copy of the treatment plan no later than seven business days after the provider completes the assessment.
    - (c) The provider shall offer the individual a copy of the treatment plan no later than seven business days after the provider completes the assessment, unless there are clinical indications against furnishing the individual with a copy of his or her treatment plan. If the individual declines to retain a copy of his or her treatment plan, the provider shall retain a record that the provider offered to furnish the individual with a copy of his or her treatment plan, but that the individual declined.

- (d) The provider shall implement the treatment plan.
- (4) Clinical record: The provider shall develop and retain a clinical record for each individual that includes the individual's:
- (a) Identifying information, including name, address, date of birth, sex, race, marital status, significant phone numbers, and health insurance identification numbers;
  - (b) Medical history, if supplied by the individual, the individual's case manager, or the individual's physician;
  - (c) Treating physician's name;
  - (d) Service plan (initial and revised versions);
  - (e) Individualized assessment (initial and revised versions);
  - (f) Treatment plan (initial and revised versions);
  - (g) Food and drug interactions (e.g., "Don't take pills with milk."), allergies, and dietary restrictions, if supplied by the individual, the individual's case manager, or the individual's physician; and,
  - (h) Discharge summary, which the professional who provided the service shall sign and date at the point he or she is no longer going to provide the service to the individual or the individual no longer needs the service. In the summary, the professional shall include records on the service outcomes and the progress made toward the goals specified in the individual's service plan, and shall record any follow-ups or referrals that the professional recommends. The provider shall furnish a copy of the summary to the individual and the individual's case manager.
- (5) Provider qualifications: No person shall provide the service unless the person is employed by a provider that ODA certifies as an agency provider, or unless ODA certifies the person as a non-agency provider.
- (a) Agency provider:
    - (i) An agency provider shall assure that the agency's direct-care staff includes a licensed professional clinical counselor (LPCC), a licensed professional counselor (LPC), a licensed psychologist (MA or PhD), an independent marriage and family therapist

(IMFT), a licensed independent social worker (LISW), a licensed social worker (LSW), or a marriage and family therapists (MFT).

- (ii) No individual shall provide the service under the employment of the agency provider unless the individual is a licensed professional clinical counselor (LPCC), a licensed professional counselor (LPC), a licensed psychologist (MA or PhD), an independent marriage and family therapist (IMFT), a licensed independent social worker (LISW), a licensed social worker (LSW), a marriage and family therapist (MFT), or a registered nurse (RN) who holds a certificate of authority from the Ohio board of nursing in psych-mental health nursing specialty.
- (iii) The provider shall retain records to show that each counseling staff member holds a license in good standing with his or her respective Ohio professional licensure board, and has at least one year of counseling experience.
- (iv) The provider shall supervise any licensed social worker (LSW), licensed professional counselor (LPC), or marriage and family therapist (MFT) whom the provider employs according to the requirements of Chapter 4757. of the Revised Code. The supervisor of a LSW, LPC, or MFT shall co-sign all initial assessments and all treatment plans prepared by the LSW, LPC, or MFT.

(b) Non-agency provider:

- (i) No person shall provide the service as a non-agency provider unless the person is an independent marriage and family therapist (IMFT), a licensed professional clinical counselor (LPCC), licensed psychologist (MA or PhD), a licensed independent social worker (LISW), or a registered nurse (RN) who holds a certificate of authority from the Ohio board of nursing in psych-mental health nursing specialty.
- (ii) The provider shall retain records to show that he or she holds a license in good standing with his or her Ohio professional licensure board, and has at least one year of counseling experience.

(6) Limitations:

- (a) The provider may furnish a service that is not authorized by the individual's service plan, but ODA (or ODA's designee) only pays the provider for furnishing a service that is authorized by the individual's service plan.
- (b) The provider shall only bill ODA's designee for a service provided under the PASSPORT program if the case manager identifies the provider in the individual's service order.
- (c) The provider shall not provide the service to an individual if the individual is receiving a similar service under Chapter 173-39 of the Administrative Code.
- (d) The provider shall not provide the service in place of a case management service.
- (e) The provider shall not provide a service to an individual's authorized representative or caregiver if the service is unrelated to the individual's well-being.

(7) Service verification:

- (a) The provider shall retain a record of the case manager's service order.
- (b) For each service provided, the provider shall retain a record of the:
  - (i) Individual's name;
  - (ii) Date of service;
  - (iii) Time of day each service begins and ends;
  - (iv) Name of staff member counseling the individual; and,
  - (v) Individual's signature. The case manager shall record the individual's signature of choice in the individual's service plan. The signature of choice may include a handwritten signature; initials; stamp or mark; or electronic signature.
- (c) The provider may use a technology-based system to collect or retain the records required under this rule.

(C) Unit and rate:

- (1) A unit of a social work counseling service is equal to fifteen minutes.

- (2) The maximum rate allowable for a unit of the service is listed in the appendix to rule 5160-1-06.1 of the Administrative Code.
- (3) The rates are subject to the rate-setting methodology in rule 5160-31-07 of the Administrative Code.

Effective: 10/23/2020

Five Year Review (FYR) Dates: 6/29/2020

CERTIFIED ELECTRONICALLY

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Certification

10/13/2020

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Date

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