

## TO BE RESCINDED

173-39-02.13      **Transportation service.**

- (A) Transportation is a service designed to enable a consumer to gain access to medical appointments specified by the consumer's plan of care, when medical transportation is not otherwise available or funded by state plan medicaid or any other source. Whenever possible, consumers must use family, neighbors, friends, or community agencies to provide this service without charge.
- (B) A unit of transportation service is a one-way trip or a round trip. The unit rate is the price quoted by the provider and approved by the consumer's case manager prior to the provision of the service. The provider must bill for the original price quote submitted to and approved by the case manager unless a cost revision is authorized by the case manager prior to delivering the service.
- (C) Provider requirements include the following:
- (1) The provider must be either an ODA-certified long-term care agency or an ODA-certified long-term care non-agency provider.
  - (2) The provider must furnish evidence of a service back-up plan to provide service when a vehicle becomes disabled.
  - (3) All vehicle operators and owners must maintain proof of financial responsibility as required in section 4509.101 of the Revised Code.
  - (4) A copy of the certificate of insurance and the vehicle registration must be maintained in each vehicle.
  - (5) The provider must have a written plan for regularly scheduled maintenance and safety inspection for the vehicles in service and must document compliance with the plan.
  - (6) The provider must assure that each vehicle is inspected every twelve months by a certified mechanic, the highway patrol safety inspection unit, or the Ohio medical transportation board, and is certified to be safe. The inspections must include the elements listed in appendix A of this rule.
  - (7) Vehicles equipped for transporting a passenger who remains in a wheelchair must be equipped with permanently installed floor wheelchair restraints for each wheelchair position used. Providers must inspect their vehicles for compliance with the items listed in appendix B on a daily basis.

- (8) The provider must document and maintain a record of each service related consumer contact and each service delivered, including date of contact, type of contact and name(s) of person(s) having contact with the consumer. The provider must maintain documentation for each episode of service that includes a description of the service provided, the date and time of consumer pick-up and delivery, the name and signature of the driver, and name and signature of the consumer to whom transportation services were provided.

(D) Providers must assure that drivers:

- (1) Maintain a safety checklist that includes items listed in appendix C of this rule that must be completed by the driver prior to transporting consumer(s) and/or travel attendant(s);
- (2) Maintain service logs or trip sheets daily that include the date of service, the consumer's name, the pick-up point and destination point for each consumer, and the driver's and consumer's signatures. An exception to the requirement for consumer signature is allowed for ADS transportation providers who may use the consumer's signature for attendance in ADS services that includes transportation to and from ADS; and,
- (3) Assist in transfer of the consumer, as necessary, safely from the consumer's door to the vehicle and from the vehicle to the entrance of the destination point. The provider must perform the same transfer assist service when transporting the consumer back to the consumer's residence;

(E) The provider must assure and document that prior to transporting consumers, each driver meets all of the following requirements:

- (1) A current and valid driver's license with fewer than six points against the driver issued under Chapter 4506. or 4507. of the Revised Code, or their equivalent, if the operator is a resident of another state;
- (2) A valid copy of a signed statement from a licensed physician acting within the scope of the physician's practice declaring that the applicant does not have a medical or physical condition, including vision impairment, that cannot be corrected and could interfere with safe driving, passenger assistance, and emergency treatment activity, or could jeopardize the health and welfare of a client or the general public.
- (3) The results of a chemical test or tests of the driver's blood, breath, or urine conducted at a hospital or other laboratory licensed by the Ohio department of

health for the purpose of determining the alcohol or drug content of the applicant's blood, breath and/or urine;

- (4) A certificate of completion of a training course in first aid and cardio-pulmonary resuscitation (CPR) offered by the American red cross, the American heart association, the national safety council, or an equivalent course approved by the Ohio department of aging;
- (5) A course of instruction in consumer assistance and transfer techniques, lift operation and how to properly secure a wheelchair, if applicable, prior to transporting consumers;
- (6) At least two years of licensed driving experience; and,
- (7) The driver has the ability to understand written and oral instructions and document services delivered.

(F)

- (1) The provider must assure and document that each driver obtains the following:

- (a) A certificate of completion of an introductory defensive driving course sponsored or endorsed by the national safety council or the Ohio department of transportation, and completion of a four hour refresher course every three years thereafter.
- (b) A certificate of completion of an introductory training course approved by ODA, addressing the transport of older persons and people with disabilities, and a refresher course every three years thereafter, both of which must include:
  - (i) Sensitivity to aging training;
  - (ii) An overview of diseases and functional factors commonly affecting older adults;
  - (iii) Environmental considerations affecting passengers;
  - (iv) Instruction in consumer assistance and transfer techniques;
  - (v) Training on the management of wheelchairs, and how to properly

secure a wheelchair;

(vi) The inspection and operation of wheelchair lifts and other assistive equipment; and,

(vii) Emergency procedures.

(2) The certificates of completion to which this rule applies must be received as follows:

(a) For all new drivers, the certificates of completion must be for training received by the driver within the first six months following the date on which the driver is hired or retained by the provider.

(b) For all drivers hired or retained by a provider prior to the effective date of this rule, the certificates of completion must be obtained for training received in the first six months following the effective date of this rule, unless the provider can verify that the driver successfully completed the required training at some time within the three year period immediately preceding the adoption of this rule. Drivers who successfully completed one or both of the introductory training courses required by this rule within the three years immediately preceding the adoption of this rule shall be deemed to have complied with the requirement for the introductory training course(s) for which the training was received, and will only be required to complete the required refresher course(s) every three years after the date the certificate(s) of completion was received.

(G) ODA and its designee must deem those vehicles licensed as ambulettes by the Ohio medical transportation board as complying with paragraph (C) of this rule.

(H) ODA and its designee must deem those drivers employed as drivers of urban or rural transit systems as meeting the requirements in paragraph (E) of this rule.

Replaces: 173-39-02.13  
Effective: 02/15/2009  
R.C. 119.032 review dates: 11/21/2008

**CERTIFIED ELECTRONICALLY**

---

Certification

02/05/2009

---

Date

Promulgated Under: 119.03  
Statutory Authority: 173.02, 173.391  
Rule Amplifies: 173.39, 173.391  
Prior Effective Dates: 3/31/2006