

## TO BE RESCINDED

173-39-02.18      **Non-medical transportation service.**

(A) "Non-medical transportation service" means a service that transports a consumer from one place to another for a non-medical purpose through the use of a provider's vehicle and driver. Examples of places to which the service may transport a consumer are a grocery store, a senior center, or a government office. (This service is different than the non-emergency medical transportation service defined in rule 173-39-02.13 of the Administrative Code, which transports a consumer from one place to another for a non-emergency medical purpose.)

(B) Eligibility criteria: A case manager may authorize a non-medical transportation service for a consumer who is enrolled in the PASSPORT program, but only if the consumer's family, neighbors, friends, or community agencies are unwilling or not required to provide the service to the consumer free of charge.

(C) Provider requirements for the non-medical transportation service:

(1) In general:

(a) Only an agency provider or non-agency provider who is certified under rule 173-39-02 of the Administrative Code may provide the service.

(b) When providing the service, the driver shall help the consumer to safely transfer between the pick-up point and the vehicle, to safely enter and exit the vehicle, and to safely transfer between the vehicle and the destination point.

(c) The driver shall document the following for each service provided:

(i) The consumer's name;

(ii) The consumer's pick-up point and the date and time of the pick up;

(iii) The consumer's destination point and the date and time of the drop off;

(iv) The consumer's signature; and,

(v) The driver's signature.

- (d) The provider shall possess a back-up plan for providing the service when a driver or vehicle is unavailable.
- (2) Vehicles: The provider shall create a written plan for regularly-scheduled maintenance and inspection of each vehicle used for this service and shall document compliance with the plan. Each plan shall, at a minimum, include the following inspections:
- (a) Annually, the provider shall submit each vehicle to the "Annual Vehicle Inspection" on form ODA0004 (<http://www.goldenbuckeye.com/providers/forms.html>). This inspection may only be performed by a certified mechanic, by the Ohio highway patrol safety inspection unit, or by the Ohio medical transportation board. The provider may only use a vehicle if, within the past twelve months, the inspection was conducted and the answers to all questions on form ODA0004 were "yes". Any vehicle that holds a current, valid license as an ambulette by the Ohio medical transportation board is deemed to comply with this paragraph without the need to conduct the inspection on form ODA0004;
- (b) Monthly, the provider shall submit each vehicle to the "Monthly Vehicle Inspection" on form ODA0007 (<http://www.goldenbuckeye.com/providers/forms.html>). The provider may only use a vehicle if, within the past month, the inspection was conducted and the answers to all questions on form ODA0007 were "yes";
- (c) On each day that a vehicle equipped with a wheelchair lift is used for the service, the driver shall conduct the "Daily Wheelchair Lift Inspection" on form ODA0005 (<http://www.goldenbuckeye.com/providers/forms.html>). The driver shall only use a vehicle that is equipped with a wheelchair lift if, before providing the first service of the day, the inspection was conducted on the vehicle and the answers to all questions on form ODA0005 were "yes"; and,
- (d) On each day that the vehicle is used for the service, the driver of each vehicle shall conduct the "Daily Vehicle Inspection" on form ODA0006 (<http://www.goldenbuckeye.com/providers/forms.html>). The driver shall only use the vehicle for the service if, before providing the first service of the day, the inspection was conducted and the answers to all questions on form ODA0006 were "yes".

(3) Driver qualifications:

(a) Before providing the first service as an employee of a provider (or before providing the first service as a non-agency provider), the driver shall:

- (i) Hold a current, valid driver's license for at least two years, hold any driver's license endorsement that is necessary to operate the type of vehicle used for the service, and have fewer than six points issued under Chapter 4506. or 4507. of the Revised Code (or have points issued under statutes of the home state that are substantially equivalent to six points issued under Chapter 4506. or 4507. of the Revised Code if the driver is a resident of another state);
- (ii) Obtain a signed statement from a licensed physician acting within the scope of the physician's practice that states that the driver has no medical or physical condition, including an incurable vision impairment, that may impair safe driving, passenger assistance, emergency treatment, or the health and welfare of a consumer or the general public;
- (iii) Pass drug and alcohol tests. The drug tests check for the use or abuse of amphetamines, cannabinoids (THC), cocaine, opiates, and phencyclidine (PCP). The driver receives a passing score if the drug tests do not find the drugs in his/her blood, breath, or urine. The alcohol tests check blood-alcohol content. The driver receives a passing score if the alcohol tests do not find a blood-alcohol content in the driver's blood that is higher than Ohio's maximum blood-alcohol content. The driver shall obtain the drug and alcohol tests from a hospital or another entity that the Ohio department of health permits to conduct the tests;
- (iv) Pass a training course in first aid and CPR offered by the American red cross, the American heart association, the national safety council, or an equivalent organization approved by ODA;
- (v) Possess the ability to understand written and oral instructions; and,
- (vi) Possess the ability to comply with paragraphs (C)(1)(c), (C)(2)(b), and (C)(2)(c) of this rule.

(b) Except for a driver noted in paragraph (C)(3)(c) of this rule, each driver

shall complete the following no later than six months after the effective date of this rule or no later than six months after the driver is hired by the provider (or after the non-agency provider begins to provide the service), whichever occurs later:

- (i) An introductory defensive driving course sponsored or endorsed by the national safety council or the Ohio department of transportation. The driver shall also complete a four-hour refresher course every three years thereafter; and,
- (ii) An introductory training course approved by ODA that addresses the transporting of older persons and people with disabilities. The driver shall also complete a refresher course every three years thereafter. The introductory training course and the refresher course shall include the following topics:
  - (a) Sensitivity to aging;
  - (b) Overview of diseases and functional factors commonly affecting older adults;
  - (c) Environmental considerations affecting consumers;
  - (d) Consumer assistance and transfer techniques;
  - (e) Management of a wheelchair, including the proper methods for securing a wheelchair;
  - (f) Inspection and operation of a wheelchair lift and other types of assistive equipment; and,
  - (g) Emergency procedures.
- (c) Any driver hired before the effective date of this rule (or any non-agency provider) who successfully passed the required introductory courses under paragraph (C)(3)(b) of this rule no more than three years before the effective date of this rule is deemed to comply with that requirement. For example, before a driver of a mass transit system's bus provides the first service to a consumer, the driver may have already completed the introductory courses in order to qualify for the mass transit system job. This driver is only required to complete the required refresher courses every three years after the date he/she passed the

introductory courses.

- (d) The provider shall maintain documentation on the compliance of each driver (or the non-agency provider shall maintain documentation on his/her compliance) with the driver qualifications in paragraph (C)(3) of this rule.

(D) Rates:

- (1) One trip, whether a one-way trip or a round trip, constitutes one job of non-medical transportation service.
- (2) The per-job rate for a service is negotiable, but is finalized by the consumer's case manager before the provision of the service. A finalized rate is renegotiable if the case manager revises the rate before the service is provided.
- (3) The maximum rates allowable for a one-way trip and a round trip are listed in rule 5101:3-1-06.1 of the Administrative Code.

Replaces: 173-39-02.18

Effective:

R.C. 119.032 review dates: 11/21/2008

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Certification

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Date

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