

173-39-02.22

**ODA provider certification: waiver nursing ~~service~~.**

(A) "Waiver nursing ~~service~~" means the service defined in rule 5160-44-22 of the Administrative Code.

(B) Requirements for Every every ODA-certified provider of a waiver nursing ~~service shall comply with the following requirements:~~

(1) ~~General requirements:~~ The provider ~~shall comply with the requirements for every ODA-certified agency provider in~~ is subject to rule 173-39-02 of the Administrative Code.

(2) ~~Requirements specific to a waiver nursing service:~~ The provider ~~shall comply with the requirements in~~ is subject to rule 5160-44-22 of the Administrative Code.

(3) If a conflict exists between a requirement in rule 173-39-02 of the Administrative Code and a requirement in rule 5160-44-22 of the Administrative Code, the provider shall comply with the requirement in rule 173-39-02 of the Administrative Code instead of the conflicting requirement in rule 5160-44-22 of the Administrative Code.

(C) Units and rates:

(1) For the PASSPORT program, A a unit of a waiver nursing ~~service under the PASSPORT program equals a unit of a waiver nursing service that~~ rule 5160-46-06 of the Administrative Code establishes for the Ohio home care waiver program.

(2) For the PASSPORT program, Rule rule 5160-46-06 of the Administrative Code establishes the maximum allowable rate ~~allowable~~ for a unit of a waiver nursing ~~service~~.

(3) For the PASSPORT program, Rule rule 5160-31-07 of the Administrative Code establishes rate-setting methodology for ~~units of a waiver nursing service~~.

Effective: 5/1/2024  
Five Year Review (FYR) Dates: 1/4/2024 and 05/01/2029

CERTIFIED ELECTRONICALLY

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Certification

04/12/2024

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Date

Promulgated Under: 119.03  
Statutory Authority: 121.07, 173.01, 173.02, 173.391, 173.52, 173.522  
Rule Amplifies: 173.39, 173.391, 173.52, 173.522; 42 C.F.R. 441.352  
Prior Effective Dates: 07/01/2014, 11/01/2015, 01/01/2019