

173-39-02.23

**ODA provider certification: out-of-home respite.**

- (A) "Out-of-home respite" means the service defined in rule 5160-44-17 of the Administrative Code.
- (B) Every ODA-certified provider of ~~a waiver nursing service~~ out-of-home respite shall comply with the following requirements:
- (1) General requirements: The provider shall comply with the requirements for every ODA-certified agency provider in rule 173-39-02 of the Administrative Code.
  - (2) Requirements specific to ~~a waiver nursing service~~ out-of-home respite: The provider shall comply with the requirements in rule 5160-44-17 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 5160-44-17 of the Administrative Code, the provider shall comply with the requirement in rule 173-39-02 of the Administrative Code.
- (C) Units and rates:
- (1) A unit of out-of-home respite under the PASSPORT program equals a unit of out-of-home respite that rule 5160-46-06 of the Administrative Code establishes for the Ohio home care waiver program.
  - (2) Rule 5160-46-06 of the Administrative Code establishes the maximum rate allowable for a unit of out-of-home respite.
  - (3) Rule 5160-31-07 of the Administrative Code establishes rate-setting methodology for units out-of-home respite.

Effective: 10/10/2020

Five Year Review (FYR) Dates: 6/29/2020 and 10/10/2025

CERTIFIED ELECTRONICALLY

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Certification

09/10/2020

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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 CFR 441.352  
Prior Effective Dates: 07/01/2014, 11/01/2015, 01/01/2019