

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 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: 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.

Replaces: 173-39-02.23

Effective: 1/1/2019

Five Year Review (FYR) Dates: 01/01/2024

CERTIFIED ELECTRONICALLY

Certification

12/21/2018

Date

Promulgated Under: 119.03

Statutory Authority: 173.522, 173.52, 173.391, 173.02, 173.01

Rule Amplifies: 173.39, 173.522; 42 C.F.R. 441.352, 173.52, 173.391

Prior Effective Dates: 07/01/2014, 11/01/2015