

173-39-02.6

**ODA provider certification: personal Emergency emergency response service system.**(A) Definitions for this rule:

~~(A)(1)~~ "Personal Emergency emergency response service system" ("ERS""PERS") means ~~an a personal~~ emergency intervention service comprised of telecommunications equipment ("~~ERS PERS~~ equipment"), ~~an emergency response center a station~~, and a medium for two-way, hands-free communication between the ~~consumer individual~~ and the ~~emergency response center station~~. Personnel at the ~~emergency response center~~ intervene in an emergency when the center receives an alarm signal from the ~~ERS equipment~~. ~~ERS PERS~~ does not include the following:

~~(1)(a)~~ Remote video monitoring (e.g., ~~granny cam, closed circuit television~~);  
or,

~~(2)(b)~~ Equipment such as a boundary alarm, a medication dispenser, a medication reminder, or any other equipment or home medical equipment, regardless of whether the equipment is connected to ~~ERS PERS~~ equipment.

(2) "Responder" means a person or organization identified in an individual's response plan as the person or organization the station shall contact if the individual signals an alarm and requires assistance from the responder.

(3) "Station" means "central monitoring station."

~~(B) Minimum requirement for ERS in addition to the conditions of participation under rule 173-39-02 of the Administrative Code:~~

(B) Every ODA-certified provider of PERS 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.

~~(1)(2)~~ Set-up:

(a) ~~ERS PERS~~ equipment:

(i) The provider shall assure ~~that~~ each ~~consumer individual~~ is able to choose the equipment ~~that meets meeting~~ his or her the individual's specific needs and preferences, as authorized ~~on~~ in

his or her person-centered service services plan.

~~(ii) The provider shall only offer a consumer equipment that provides voice to voice communication, unless the consumer is hearing impaired. The provider shall offer a consumer who is hearing impaired equipment with a visual signal.~~

~~(iii) If a consumer is visually impaired, the provider shall only offer the consumer equipment with an audible signal.~~

~~(iv)~~(ii) The provider shall offer each ~~consumer~~ individual a variety of remote activation devices from which the ~~consumer~~ individual may choose according to ~~his or her~~ the individual's specific needs and preferences, so long as each remote activation device is ~~wearable and waterproof, unless the consumer requires a specialty activation device that is not wearable and waterproof to accommodate his or her specific need.~~ meets the following characteristics:

(a) Wearable, unless the individual requires a non-wearable device to accommodate his or her specific needs and preferences.

(b) Water-resistant to a level meeting generally-accepted industry standards for the level required to meet the individual's specific needs and preferences.

~~(v)~~(iii) For any equipment the provider installs on or after January 1, 2011, the The provider shall only install equipment ~~that has with~~ that has with an internal battery ~~that provides~~ providing at least twenty-four hours of power without recharging ~~and that~~ which also sends notification to the ~~emergency response center~~ central monitoring station if the battery's power level is low.

(b) Training individuals:

(i) Initial training: The Before activating PERS for an individual, the provider shall ~~furnish~~ provide each ~~ERS consumer~~ the individual with an ~~initial~~ a face-to-face demonstration ~~and training on how to use the~~ using ERS PERS equipment ~~and the individual shall successfully indicate he or she is capable of using the equipment by return demonstration. This initial training is part of the unit of PERS installation.~~

- (ii) Additional training: ~~As part of the monthly service, the~~ After activating PERS for the individual the provider shall provide additional training to the ~~consumer individual,~~ caregiver, ODA, or ~~PAA ODA's designee~~ upon the request of one or more of those parties. This additional training is part of the unit of monthly PERS.

(c) Response plan:

- (i) The provider shall work with the ~~consumer individual~~ and the ~~consumer's individual's~~ case manager to develop a written response plan regarding how to proceed if the ~~consumer individual~~ signals an alarm. The plan shall include a summary of the consumer's health history, the consumer's functioning level, and the name of, and contact information for, ~~individuals any person or organization~~ the ~~consumer individual~~ chooses designates as his or her ~~designated~~ responders. If the ~~consumer individual~~ designates only one ~~individual responder~~, then the provider shall also designate emergency service personnel as a back-up responder.
- (ii) The provider shall update the written response plan ~~no less often than~~ at least once every six months.
- (iii) The provider shall retain ~~a record~~ records of the initial response plan, and all subsequent response plans.
- ~~(iv) The provider shall train every designated responder before activating the ERS equipment, on an annual basis, and upon request. This training is part of the monthly service. At a minimum, the training shall include:~~
- ~~(a) Instructions for responding to an emergency, including instructions for contacting emergency service personnel; and,~~
- ~~(b) Written instructions for responding to the consumer's alarm signals.~~
- ~~(v)(iv) If a consumer's an individual's designated responder ceases to participate~~ stops participating, the provider shall work with the ~~consumer individual~~ and the ~~consumer's case manager ODA's designee~~ to replace the responder and ~~revise~~ update the written

response plan as follows:

- (a) If the ~~consumer individual had designated~~ only one designated person or organization to be a responder, the provider shall ~~replace that the~~ replace the responder in fewer than four days after it receives notice that is aware the responder ceases to participate ~~stopped participating~~.
  - (b) If the ~~consumer individual had designated~~ two or more designated persons or organizations to be responders, the provider shall ~~replace the responder in fewer than seven days after it receives notice that is aware the responder ceases to participate~~ replace the responder in fewer than seven days after it receives notice that is aware the responder ceases to participate ~~stopped participating~~.
  - (c) If the ~~provider, individual, and ODA's designee is are~~ provider, individual, and ODA's designee is are ~~unable to replace secure a replacement responder, the provider shall notify the case manager and immediately designate emergency service personnel as the responder.~~ unable to replace secure a replacement responder, the provider shall notify the case manager and immediately designate emergency service personnel as the responder.
  - (d) ~~Anytime The the provider, individual, and ODA's designee designate a replacement responder, the provider shall record immediately update the individual's response plan with the name and contact information for any of the replacement responder in the response plan.~~ Anytime The the provider, individual, and ODA's designee designate a replacement responder, the provider shall record immediately update the individual's response plan with the name and contact information for any of the replacement responder in the response plan.
- (d) Training responders: At a minimum, the training shall include written instructions for responding to the individual's alarm signals.
- (i) Initial training: Before activating PERS for an individual, the provider shall provide initial training on responding to the individual's alarm signals to every responder, other than emergency service personnel. This training is part of a unit of PERS installation.
  - (ii) Additional training: After activating PERS for an individual, the provider shall offer additional training on responding to the individual's alarm signals to every responder, other than emergency service personnel, at least annually and any time requested by the responder, individual, ODA, or ODA's designee. This training is part of a unit of monthly PERS.

(2)(3) ~~Emergency response center~~ Central monitoring station (station):

- (a) The provider shall employ staff to comprise ~~an emergency response center~~ a station located in the United States, or may sub-contract with another company located in the United States to provide the station component of the service.
- (b) The provider shall train each staff member in the station whose job duties include responding to alarm signals on responding to alarm signals and retain a record of each staff member's successful completion of the training. If a provider sub-contracts with another business to perform the station's duties, the provider shall obtain a record from the sub-contracted business to verify that each staff member of the sub-contracted business's station whose job duties include responding to alarm signals has successfully completed training on responding to alarm signals.
- (~~b~~)(c) The center station shall receive and respond to alarm signals from consumers individuals twenty-four hours per day, three hundred sixty-five days per year.
- (~~e~~)(d) The center station shall maintain the capacity ability to respond to all alarm signals.
- (~~d~~)(e) The center station shall maintain a secondary capacity station to respond to all incoming alarm signals in case the primary system is unable to respond to alarm signals.
- (~~e~~)(f) The center station shall respond to each alarm signal no more than sixty seconds after it receives the signal.
- (~~f~~)(g) The center station shall notify the PAA ODA's designee of any emergency involving a consumer an individual no more than twenty four hours after the consumer individual sends the alarm signal.
- (~~g~~)(h) The center station shall conduct monthly testing of each consumer's individual's ERS PERS equipment to ensure proper operation. The provider shall retain a record of the monthly testing that includes the date, time, and results of the each test.
- (~~h~~)(i) If a consumer an individual sends an alarm signal but the center station cannot reach a designated responder, the center station shall contact emergency service personnel.

~~(i)~~(j) If ~~a consumer~~ an individual sends an alarm signal, the ~~center station~~ shall remain in communication with the ~~consumer~~ individual through the two-way communications feature of the ~~ERS PERS~~ equipment until a designated responder arrives in the ~~consumer's~~ individual's home, until the emergency service personnel arrives in the ~~consumer's~~ individual's home, ~~or until the emergency subsides, or after it determines that there is no emergency (e.g., a false alarm).~~

~~(j)~~(k) The provider shall ~~operate all ERS lines free of charge~~ not charge the individual for using lines of communication or transmission. These expenses are part of the unit of monthly PERS.

~~(3)~~(4) Replacement equipment: At no additional cost to the ~~consumer,~~ individual, ODA, or the PAA ODA's designee, the provider shall replace any malfunctioning ~~ERS PERS~~ equipment in fewer than twenty-four hours after it is notified of the malfunction or in fewer than twenty-four hours after the malfunction is detected through the monthly testing of equipment, unless the malfunction is due to the individual's confirmed misuse, abuse, or negligence of the equipment.

(4) Provider qualifications:

~~(a) Only an agency that ODA certifies as an agency provider may provide the service.~~

~~(b) The provider shall train each staff member of its emergency response center and retain a record that each staff member has successfully completed the training.~~

(5) Limitations:

~~(a) The provider shall only bill the PAA for the service provided under the PASSPORT program if the case manager identifies the provider in the service order for the consumer.~~

~~(b) The provider shall provide the service only to a consumer whose case manager identifies the provider in the consumer's service plan.~~

~~(c) The provider shall not provide the service to a consumer if the consumer is receiving a similar service under Chapter 173-39 of the Administrative Code.~~

~~(6)~~(5) Service verification:

- (a) The provider shall retain a record of ~~the case manager's~~ ODA's designee's service order for PERS.
- (b) For PERS installation, the provider shall verify whether the installation was successful, the initial face-to-face demonstration and training was provided to the individual on how to use the ERS using PERS equipment, initial response plan made, initial training was provided for responders, and the individual made a return demonstration of using PERS equipment to the provider shall by documenting and retain retaining records that include all of the following:
- (i) ~~Consumer's~~ Individual's name and contact information;
  - (ii) Date of ~~delivery, installation, demonstration, and~~ initial training of the individual, initial response plan made, initial training of responders, and return demonstration by the individual;
  - (iii) ~~Consumer's~~ Individual's signature. The ~~ease manager~~ ODA's designee shall record the ~~consumer's~~ individual's signature of choice in the ~~consumer's~~ individual's person-centered service services plan. The signature of choice may include a handwritten signature; initials; stamp or mark; or electronic signature.
- (c) ~~For~~ As part of monthly PERS, the provider shall verify each episode of service-related contact with the consumer, individual the provider shall retain a record that includes the by documenting and retaining all of the following:
- (i) ~~Consumer's~~ Individual's name;
  - (ii) Date and time of contact;
  - (iii) Summary of the occasion (e.g. an incident, needs additional training);
  - (iv) Service ~~delivered~~ provided (including the service of e.g. responding to an alarm signal, notifying a responder, responding to a false alarm, additional training, updating response plan, replacing equipment or batteries); and,
  - (v) Name of each staff person having contact with the ~~consumer~~

individual.

(vi) If the contact was in person, the provider shall also collect the individual's signature to verify the services were provided.

(d) The provider may use ~~a technology-based~~ an electronic system to collect or retain the records required under this rule.

(e) The provider shall retain the records required under this rule and provide access to those records for monitoring according to ~~paragraph (B)(5) of~~ rule 173-39-02 of the Administrative Code.

(C) Units and rates:

(1) Two types of ~~ERS~~ PERS units:

(a) ~~Unit of ERS service~~ Monthly PERS: One unit of monthly PERS is sixteen or more days of ERS PERS in a month. One-half unit is fifteen services days or less of ERS PERS in a month. ~~This unit Monthly PERS includes response plan updating, operating the station, PERS equipment testing, additional training of individuals, each emergency responder and providing follow-up training to a consumer, caregiver, ODA, or the PAA additional training of responders, repairing equipment, replacing batteries, and replacing equipment.~~

(b) Unit of ERS PERS installation: The one-time cost for ~~delivery and installation of the ERS~~ installing PERS equipment into the home of the consumer, and the initial face-to-face demonstration and training of the individual on how to use the ERS PERS equipment ~~that the provider furnishes to a consumer, the initial response plan, the initial training of responders, and verifying the success of the individual's return demonstration.~~

(2) The maximum rates allowable for ERS PERS installation and monthly PERS are listed in Appendix A to rule ~~5101:3-1-06.1~~ 5160-1-06.1 of the Administrative Code.

(3) The payment rates are subject to the rate-setting methodology in rule 5160-31-07 of the Administrative Code.

~~(D) Definition for this rule: "Designated responder" means an individual the emergency response center contacts if the consumer signals an alarm.~~



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CERTIFIED ELECTRONICALLY

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Certification

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Date

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