

173-39-02.9

ODA provider certification: minor home modification, maintenance, and repair.

(A) Minor home modification:

- (1) "Minor home modification" has the same meaning as in rule 5160-44-13 of the Administrative Code.
- (2) Requirements for ODA-certified providers of a minor home modification:
 - (a) The provider shall comply with the requirements for every ODA-certified provider in rule 173-39-02 of the Administrative Code.
 - (b) The provider shall comply with the requirements in rule 5160-44-13 of the Administrative Code.
 - (c) If a conflict exists between a requirement in rule 173-39-02 of the Administrative Code and a requirement in rule 5160-44-13 of the Administrative Code, the provider shall comply with the requirement in rule 173-39-02 of the Administrative Code.
- (3) Paragraph (E) of this rule establishes the units and rates for a minor home modification.

(B) Minor home maintenance:

- (1) "Minor home maintenance" means jobs maintaining an individual's home to assure the individual's health and safety in the home, and meet the individual's specified needs.
 - (a) Minor home maintenance includes inspecting and maintaining furnaces, water heaters, and water pumps; and replacing/installing electrical fuses.
 - (b) Minor home maintenance does not include the following jobs:
 - (i) Maintaining items in the home of general utility, and not of direct medical or remedial benefit to the individual.
 - (ii) Jobs that can be accomplished through existing informal or formal supports.
 - (iii) Jobs that are the legal or contractual responsibility of someone other than the individual.

(2) ODA-certified providers of minor home maintenance shall comply with paragraph (D) of this rule.

(3) Paragraph (E) of this rule establishes the units and rates for minor home maintenance.

(C) Minor home repair:

(1) "Minor home repair" means jobs repairing an individual's home to assure the individual's health and safety in the home, and meet the individual's identified needs.

(a) Minor home repair includes plumbing and electrical repair (or replacement) of window screens or panes.

(b) Minor home repair does not include the following jobs:

(i) Repairing items in the home of general utility, and not of direct medical or remedial benefit to the individual.

(ii) Jobs that can be accomplished through existing informal or formal supports.

(iii) Jobs that are the legal or contractual responsibility of someone other than the individual.

(2) ODA-certified providers of minor home repair shall comply with paragraph of this rule.

(3) Paragraph (E) of this rule establishes the units and rates for minor home repair.

(D) Requirements for ODA-certified providers of minor home maintenance and repair:

(1) General requirements:

(a) The provider shall comply with the requirements for every ODA-certified provider in rule 173-39-02 of the Administrative Code.

(b) If federal, state, or local laws regulate a job, the provider shall comply with those federal, state, or local laws when providing the job.

(2) Consent agreements: A provider shall not maintain or repair a home without first obtaining a written consent agreement from the homeowner, which may be the individual, the individual's family, or a landlord. In the agreement, the

homeowner shall agree to the maintenance or repair and allow it to remain in place until after the individual vacates the home.

- (3) Permits: Before beginning a job, the provider shall obtain all permits and pre-job inspections required by law, a homeowners' association, or both.
- (4) Inspections: After completing a job, but before billing for the job, the provider shall obtain any post-job inspections and post-job inspection reports required by law, a homeowners' association, or both, to verify whether each completed job meets federal, state, and local laws or homeowners' association requirements.
- (5) Health and safety: If health and/or safety risks to the individual are expected during the job, the provider shall inform the individual and ODA's designee of those risks and coordinate with the individual and ODA (or its designee) to provide the job on dates and times that minimize those risks.
- (6) Warranties: The provider shall provide a warranty, lasting at least one year, and covering workmanship and materials consistent with generally-accepted industry standards for the job completed. The provider shall submit details of the warranty with the final invoice the provider submits to ODA or its designee. ODA and its designee shall not pay any invoice not accompanied by a warranty.
- (7) Provider qualifications:
 - (a) Provider types: Only an ODA-certified agency or non-agency provider shall provide minor home maintenance or repair.
 - (b) Licensure: If federal, state, or local laws require the provider or the provider's staff to have a current, valid license, certificate, or other credentials before providing a particular job, the provider or its staff shall not provide the job until the provider or its staff complies with those laws.
- (8) Service verification: The provider shall obtain the individual's or caregiver's signature and date at the completion of the job to verify the provider completed the job authorized, left the individual's home in satisfactory condition, and repaired any damages incidental to the job.
- (9) Revising authorized jobs: If a provider is in the process of completing a job and identifies an unforeseen issue necessitating a revision to the job authorization or negotiated rate, prior authorization from ODA (or its designee) shall be obtained before completing the job.

(E) Units and rates:

- (1) A unit of minor home modification, maintenance, or repair is one completed job.
- (2) Appendix A to rule 5160-1-06.1 of the Administrative Code establishes the maximum rate allowable for one job of minor home modification, maintenance, or repair.
- (3) Rule 5160-31-07 of the Administrative Code requires the unit rate to be negotiated between the provider and ODA's designee. The negotiated rate shall include all materials and labor. The provider shall not bill ODA's designee for any amount in excess of the negotiated rate, unless ODA's designee revises the negotiated rate in one of the following situations:
 - (a) ODA's designee revises the rate before the provider begins the job.
 - (b) ODA's designee revises the rate to coincide with authorizing the provider to address an unforeseen issue as part of the original job, according to the process outlined in paragraph (D)(9) of this rule.

Replaces: 173-39-02.9
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: 03/31/2006, 12/01/2017