

173-39-02.9

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

(A) "Minor home modification, maintenance, and repair" (MHM) means jobs modifying, maintaining, or repairing an individual's home to help the individual function with greater independence in the home, assure health and safety in the home, and meet the individual's identified needs.

(1) MHM includes the following jobs:

- (a) Minor home modification including installing safety devices, smoke alarms, carbon-monoxide detectors, devices to improve the individual ability to perform ADLs (if not provided under rule 173-39-02.7 of the Administrative Code), minor interior/exterior modifications to improve the individual's health and safety, and enhanced accessibility modifications (e.g., ramps, doorways).
- (b) Minor home maintenance including inspecting and maintaining furnaces, water heaters, and water pumps; and replacing/installing electrical fuses.
- (c) Minor home repair including plumbing and electrical repair and repair (or replacement) of window screens or panes.

(2) MHM does not include the following jobs:

- (a) Adaptations or improvements to the home of general utility, and not of direct medical or remedial benefit to the individual.
- (b) Adding to the total square footage of the home, except when necessary to complete an adaptation (e.g., in order to improve entrance/egress to a home or to configure a bathroom to accommodate a wheelchair).
- (c) Jobs that can be accomplished through existing informal or formal supports.
- (d) Jobs that are the legal or contractual responsibility of someone other than the individual.

(B) Requirements for ODA-certified providers of minor home modification, 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 modify, 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 modification and allow it to remain in place until after the individual vacates the home or no longer requires the modification.
- (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 MHM.
- (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.

(C) 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 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: ODA's designee revises the rate before the provider begins the job. 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 (B)(9) of this rule.

Replaces: 173-39-02.9

Effective:

Five Year Review (FYR) Dates:

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Certification

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Date

Promulgated Under: 119.03

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

Rule Amplifies: 173.39, 173.391, 173.431, 173.52, 173.522; 42 CFR  
441.352(a)(1), (a)(2).

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