

3304-2-52

Least cost, use of comparable benefits, consumer contribution, and fees for services.

RSCOOD shall provide services to consumers at the least cost consistent with the consumer's rehabilitation needs and with consumer choice.

- (A) Maximum fees for medical, psychological and dental services paid wholly or in part by RSCOOD shall be established by the executive director and shall be listed in the RSCOOD fee schedule, available from the office of the executive director.
- (B) Pursuant to section 3304.14 of the Revised Code, the executive director shall establish a fee schedule for vocational rehabilitation services. The executive director hereby adopts the vocational rehabilitation service provider fee schedule indicated in appendix A to this rule, developed with stakeholder input, ~~effective October 1, 2012~~. Any community rehabilitation program, entity or person providing a service listed on the vocational rehabilitation providers fee schedule shall bill in accordance with the fee schedule.
- (C) Maximum fees for training services paid wholly or in part by RSCOOD shall be those established by the school.
- (D) RSCOOD shall pay only the fee agreed upon up to the maximum listed in the fee schedule, less the consumer contribution and less any applicable comparable benefit.
- (E) RSCOOD shall not pay for missed appointments or other goods and services which have not been provided, except when required for purchase order items and except for the guaranteed minimum fee for interpreter service.
- (F) If a consumer chooses to receive services from a qualified service provider other than the least cost provider identified in accordance with this rule, RSCOOD shall only pay for the services in the amount it would cost for the consumer to go to the least cost service provider. Any costs incurred by the consumer above that amount shall be the consumer's sole responsibility to pay.
- (G) Notwithstanding paragraph (F) of this rule, the consumer may not choose an alternative provider when goods or services are procured through the department of administrative services competitive bidding process.
- (H) "Comparable benefits" means services and benefits that are available to a consumer from federal, state, or local public agencies, by health insurance, or by employee benefits.
- (1) RSCOOD shall use comparable benefits to pay for services, unless such a

determination would interrupt or delay:

- (a) Services to a consumer who is at extreme medical risk. "Extreme medical risk" means a probability of substantially increasing functional impairment or a risk of death if medical services, including mental health services, are not provided expeditiously; determination of such risk shall be based on medical evidence provided by an appropriate, licensed medical professional;
 - (b) An immediate job placement;
 - (c) The progress of the consumer toward achieving the employment outcome in the individualized plan for employment.
- (2) ~~RSCOOD~~ shall not require the use of comparable benefits for diagnostic services, but when possible, available information shall be obtained rather than new services purchased.
 - (3) Awards and scholarships based on merit are not considered comparable benefits.
 - (4) ~~RSCOOD~~ shall not require the use of comparable benefits for counseling and guidance, referral, job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services, rehabilitation technology, and any of these services when provided as post-employment services.
- (I) A consumer may be expected to pay for services to the extent possible.
 - (J) Exceptions to this rule may be made only upon the express, written approval of the executive director of ~~RSCOOD~~ or the executive director's designee.
 - (K) This rule is designed to implement "Title IV of the Workforce Investment Act," which contains the 1998 amendments to "The Rehabilitation Act of 1973," and resulting regulations.

Effective:

R.C. 119.032 review dates: 01/14/2014

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 3304.16(A), 3304.14(B)(2)
Rule Amplifies: 3304.16(K)(2), 3304.16(K)(3), 3304.14(B)(2)
Prior Effective Dates: 9/30/85, 4/4/88, 7/21/90, 3/12/93, 5/15/98, 1/11/99,
1/3/00, 6/20/02, 1/20/04, 9/5/06, 8/10/09, 12/30/12