

5101:3-32-04

**Provider conditions of participation for the choices ~~HCBS~~ home and community based services (HCBS) waiver program.**

- (A) The purpose of this rule is to establish the conditions of participation under which providers are able to participate in the choices ~~home and community based services (HCBS)~~ HCBS waiver program.
- (B) In order to obtain a medicaid provider agreement to be a choices provider, the provider must be certified by the Ohio department of aging (ODA) or its designee in accordance with the provisions of Chapter 173-39 of the Administrative Code.
- (1) The provider may be certified as either:
- (a) An ODA certified long-term care agency providers in accordance with the provisions of rule ~~173-39-02~~ 173-39-03 of the Administrative Code, or
  - (b) An ODA certified long-term care non-agency provider in accordance with the provisions of rule ~~173-39-02~~ 173-39-03 of the Administrative Code, or
  - (c) An ODA certified consumer-directed individual provider in accordance with the provisions of rule ~~173-39-02~~ 173-39-03 of the Administrative Code.
- (C) Individuals enrolled in the choices HCBS waiver shall be given a free choice of qualified providers ~~in accordance with Chapter 5101:3-41 of the Administrative Code~~ as set forth in 42 C.F.R. 431.51 (as in effect on October 1, 2010).

Effective: 09/29/2011

R.C. 119.032 review dates: 07/14/2011 and 09/01/2016

CERTIFIED ELECTRONICALLY

---

Certification

09/19/2011

---

Date

Promulgated Under: 119.03  
Statutory Authority: 5111.85  
Rule Amplifies: 5111.85  
Prior Effective Dates: 8/30/01, 7/01/05, 7/01/06, 7/01/07