

5101:3-33-07**Assisted living HCBS waiver rate setting.**

(A) The purpose of this rule is to describe the methods used to determine provider rates for the assisted living home and community based services (HCBS) waiver.

(B) Subject to the limits set forth in rule 5101:3-1-06 of the Administrative Code, rate-setting methodologies shall be established for the following categories:

(1) Per item rate; and

(2) Unit rate.

(C) A per item rate shall be determined on a per item basis for the community transition service as set forth in rule 173-39-02.17 of the Administrative Code.

(1) The cost of the item shall not exceed the medicaid state plan rate.

(2) The cost of an item that does not have an established medicaid rate shall be reimbursed at a per item bid rate submitted and agreed to in writing by the PASSPORT administrative agency (PAA) prior to delivery of the item.

(D) Unit rates shall be based on a three tiered model as expressed in Appendix A of rule 5101:3-1-06.5 of the Administrative Code. These rates will be used for assisted living services as set forth in rule 173-39-02.16 of the Administrative Code.

(1) Which rate is paid for a particular consumer is determined by an assessment, conducted by the PAA, of the consumer's service needs in four areas:

(a) cognitive impairments,

(b) medication administration,

(c) nursing services, and

(d) functional impairments.

(2) The provider must agree to provide the services in the consumer's plan of care for the rate of payment determined by the assessment.

(E) Assisted living service payment constitutes payment in full and may not be construed as a partial payment when the payment amount is less than the provider's charge. The provider may not bill the consumer for any difference between the medicaid payment and the provider's charge or request that the consumer share in the cost through a co-payment or other similar charge.

(F) The assisted living service payment is for assisted living services as defined in rule 173-39-02.16 of the Administrative Code and does not include payment for room and board, which is the responsibility of the consumer.

Effective:

R.C. 119.032 review dates:

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Certification

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Date

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