

5101:3-35-01

**Definitions.**

(A) For the purposes of Chapter 5101:3-35 of the Administrative Code, the following terms are defined as:

- (1) At the direction of: communication of a plan of care to a licensed practical nurse by a licensed physician or registered nurse who is acting within the scope of his or her practice under Ohio law for the provision of nursing services by the licensed practical nurse.
- (2) Clinical setting: for the purpose of counseling and social work roles, a location in the school, or a location for which the medicaid school program provider has contracted for the delivery of services, where the child's confidentiality can be maintained when a service is being rendered.
- (3) Community school: a public school, independent of any school district, established in accordance with Chapter 3314. of the Revised Code that is part of the state's program of education.
- (4) Direct supervision: the licensed practitioner of the healing arts shall conduct face-to-face client evaluations initially and periodically thereafter, and be present with the licensed aide in the same space designated for service delivery throughout the time the licensed aide is providing service and immediately available to provide assistance and direction throughout the time the aide is performing services. Direct supervision does not mean the licensed practitioner of the healing arts must be in the same room while the aide is providing services, except when the room is the only service delivery space. The availability of the licensed practitioner of the healing arts by telephone or the presence of the licensed practitioner of the healing arts somewhere else in the building does not constitute direct supervision.
- (5) Eligible child: a student for whom medicaid reimbursement may be sought through the medicaid school program who is enrolled in an entity defined in paragraph (B)(1) of rule 5101:3-35-02 of the Administrative Code, who is between the age of three to twenty-one, and has an individualized education program in which is indicated services that are allowable under medicaid.
- (6) General supervision: the licensed practitioner of the healing arts is available, but not necessarily present in the same space designated for service delivery or on-site, to monitor the provision of service. However, if the licensed practitioner of the healing arts is not physically present in the same space designated for service delivery, he or she shall be immediately available to the assistant for consultation purposes at all times. The supervision requires an interactive process and shall include, but is not limited to, an initial

face-to-face client evaluation and periodically thereafter, routine consult with the assistant before the assistant's initiation of any client treatment plan and/or modification of the treatment plan, and review of the following: client assessment, reassessment, treatment plan, intervention and the discontinuation of intervention, and/or treatment plan. Co-signing client documentation alone does not meet the general supervision requirements.

~~(7) Habilitation: the process by which the staff of a facility or agency assists an individual with mental retardation or other developmental disabilities in acquiring and maintaining those life skills that enable the individual to cope more effectively with the demands of the individual's own person and environment, and in raising the level of the individual's personal, physical, mental, social, and vocational efficiency.~~

~~(8)~~(7) IEP: the individualized education program as described in section 3323.011 of the Revised Code.

~~(9)~~(8) Local education agency: city school district, local school district, exempted village school district, as defined in sections 3311.01 to 3311.04 of the Revised Code.

~~(10)~~(9) Maintenance: services provided to individuals for the purpose of maintaining a level of functionality, not improvement of functionality.

~~(11)~~(10) Medicaid authorized prescriber: a physician (M.D. or D.O.), podiatrist, dentist, or advanced practice nurse working within his or her scope of practice as defined by state law.

~~(12)~~(11) Medical home: a physician, physician group practice, or an advanced practice nurse with a current medicaid provider agreement, or a provider with a contract with an Ohio medicaid managed care plan. This provider serves as an ongoing source of primary and preventive care and provides assistance with care coordination for the patient.

~~(13)~~(12) Medically necessary: skilled services recommended by a qualified licensed practitioner in accordance with rules 5101:3-35-05 and 5101:3-35-06 of the Administrative Code who is acting within the scope of his or her licensure and based on his or her professional judgment regarding medical services that are necessary for the eligible child for the diagnosis or treatment of disease, illness, or injury and without which the eligible child can be expected to suffer prolonged, increased or new morbidity, impairment of function, dysfunction of a body organ or part, or significant pain and discomfort. A medically necessary service shall: meet generally accepted standards of

medical practice; be appropriate to the illness or injury for which it is performed as to type of service and expected outcome; be appropriate to the intensity of service and level of setting; provide unique, essential, and appropriate information when used for diagnostic purposes; be the lowest cost alternative that effectively addresses and treats the medical problem; and meet general principles regarding reimbursement for medicaid covered services found in rule 5101:3-1-02 of the Administrative Code.

~~(14)~~(13) MSP: the medicaid school program as set forth in Chapter 5101:3-35 of the Administrative Code.

~~(15)~~(14) MSP provider: entity that meets the qualifications delineated in rule 5101:3-35-02 of the Administrative Code.

~~(16)~~(15) Skilled services: services of such complexity and sophistication that the service can be safely and effectively performed only by or under the supervision of a licensed practitioner of the healing arts practicing within the scope of their licensure. Skilled services do not include services provided by persons not licensed in accordance with the Ohio Revised Code.

~~(17)~~(16) State school: school under the control and supervision of the state board of education established for students who are deaf or blind as defined by section 3325.01 of the Revised Code.

Effective:

R.C. 119.032 review dates: 07/30/2009

---

Certification

---

Date

Promulgated Under: 119.03  
Statutory Authority: 5111.02  
Rule Amplifies: 5111.02  
Prior Effective Dates: 11/26/08 (Emer.), 3/2/09