

## TO BE RESCINDED

5122-33-21 **Laundry services; activities; resident property.**

- (A) An adult care facility shall launder or arrange for the laundering of all clothing and bed and bath linen for residents who require laundry services. The facility may provide a washer and dryer in the facility for residents' use or may provide residents with transportation to and from a laundromat.
- (B) Each adult care facility shall encourage residents to participate in social, recreational, and leisure activities. The facility shall provide at least all of the following:
- (1) One local daily newspaper, community weeklies, or current community activity brochures and advertisements;
  - (2) Transportation or information about the availability of transportation to community activities; and
  - (3) An opportunity for residents to engage in a variety of activities within the facility for residents. These activities may include, but shall not be limited to, television, crafts, reading, or games.
- (C) An adult care facility shall not coerce, induce, or prompt a resident to assign, transfer, give, or sign over to the facility money, valuables, insurance benefits, property, or anything of value other than payment for services rendered by the facility.
- (1) If a resident or his or her legal representative requests that the facility manage the resident's funds and the facility agrees to do so, the facility shall deposit any amount of money in excess of two hundred dollars in an interest-bearing account separate from the home's operating accounts. A resident's money amounting to two hundred dollars or less may be kept either in a petty cash fund or in an interest-bearing account for the resident. Interest shall be calculated and credited to the resident based upon the amount of the principal held for the resident. Interest shall be credited to the resident. Residents shall have access to their money at all times and shall be encouraged to manage their own money independently.
  - (2) A resident's valuables, other than money, given to the facility for safekeeping shall be kept in a separate envelope or container marked with the resident's name and shall be safeguarded against loss or theft. The resident shall have access to the valuables at all reasonable times.
  - (3) A facility may not charge a resident a fee for managing a resident's funds or safeguarding the resident's property or valuables unless the fee is agreed to

and specified in the resident's written agreement with the facility and the agreement does not violate any of the resident's rights under section 5119.81 of the Revised Code. If the facility takes responsibility for a resident's money or other valuables, the facility shall provide the resident upon request, but at least quarterly, with a written statement regarding the status of his or her property. The facility shall provide a resident with a final accounting and return all of the resident's property to him or her at the time of permanent transfer or discharge. Upon the death of a resident, the facility shall return all of the resident's property to the individual administering the resident's estate.

- (4) No owner, manager, or facility staff member shall be the legal guardian of a resident, unless the individual was appointed guardian prior to August 4, 1991.
- (5) An owner, manager, or facility staff shall not hold a power of attorney for a resident.

Effective:

Five Year Review (FYR) Dates: 01/20/2017

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Certification

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Date

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