

5122-36-03

Application process.

- (A) ~~An individual may apply for the RSS application process may be through submission of program by submitting an ODM 07120 form; or its electronic equivalent; to the appropriate CDJFS or the use of by applying through an electronic system designated by OhioMHAS; and shall. In addition, the individual will include with the RSS application an application for medicaid if the individual is not currently in receipt of a medicaid recipient.~~
- (B) OhioMHAS ~~shall~~will record the following information about the individual:
- (1) The individual's name, address, telephone number, date of birth, and social security number;
 - ~~(2) If the individual has an authorized representative, the authorized representative's name, address, and telephone number. "Authorized representative" has the same meaning as in rule 5160:1-1-58 of the Administrative Code;~~
 - ~~(3)~~(2) If the individual has a legal representative, the legal representative's name, address, and telephone number. ~~"Legal representative" means a person that the individual or probate court designates to decide for the individual. Examples of types of legal representatives are guardians, conservators, and attorneys-in-fact who are designated through a power of attorney, including a durable power of attorney for health care decisions; and;~~
 - ~~(4)~~(3) Whether the individual receives social security, SSI, or SSDI benefits.
- (C) The day the RSS application is completed and submitted to OhioMHAS will be considered the date of application.
- (D) Once a completed application has been submitted to OhioMHAS, OhioMHAS will make the non-financial eligibility determination available to the department of medicaid and the CDJFS within ten business days, ~~except for the level of care determination.~~ The department of medicaid and the CDJFS will use the non-financial eligibility determination for the determination of medical assistance eligibility in accordance with rule 5160:1-1-585160:1-5-01 of the Administrative Code.
- (E) OhioMHAS ~~shall~~will allow any individual to withdraw from the RSS application process at any time.
- (F) OhioMHAS ~~shall~~will offer enrollment in the RSS program to any individual when both of the following are the case:

- (1) The individual is determined eligible in accordance with rule ~~5160:1-1-58~~5160:1-5-01 of the Administrative Code; and;
- (2) RSS program funds are sufficient to provide cash assistance to all enrollees.
- (G) ~~Failure to cooperate:~~ OhioMHAS may deny an individual's enrollment ~~into~~in the RSS program if the applicant fails to cooperate in the enrollment process ~~because~~for either of the following reasons:
- (1) The individual did not apply for medicaid pursuant to rule 5160:1-2-10 of the Administrative Code before the tenth working day after the date of the determination of RSS non-financial eligibility in rule 5160:1-1-58 of the Administrative Code; or;
- (2) The individual did not select a living arrangement for a determination of the living arrangement's appropriateness; before the thirtieth day after the date of ~~the~~ determination of medicaid eligibility in rule 5160:1-1-585160:1-2-10 of the Administrative Code.

An application denied for the reasons listed in this paragraph ~~shall~~will be held as pending by OhioMHAS until such time as the applicant requests it be withdrawn or updates the application to be in compliance with this paragraph.

- (H) ~~Hearing rights: If~~Consistent with division (D) of section 5119.41 of the Revised Code, if an applicant is denied eligibility for the RSS program pursuant to rules in this chapter; ~~OhioMHAS shall notify the applicant of the right to a hearing, pursuant to division (H) of section 5119.41 of the Revised Code,~~ the appropriate CDJFS or the department of medicaid will notify the applicant of the right to a hearing and how to request one. If the individual requests a hearing, the hearing is to be provided in accordance with section 5101.35 of the Revised Code.

Effective:

Five Year Review (FYR) Dates: 6/14/2022

Certification

Date

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