

5160-15-14

**Transportation: non-emergency services through a CDJFS:
program integrity provisions.**

(A) Definitions.

- (1) "Private transportation vendor (PTV)" is an entity (~~e.g. individual person, for-profit company, not-for-profit organization~~) that meets the following criteria:
 - (a) It seeks to establish or to maintain a contract with a county department of job and family services (CDJFS) to supply transportation service to medicaid recipients in accordance with rule ~~5160-15-13~~ 5160-15-10 of the Administrative Code; and
 - (b) It is not a government agency, transit authority, public transportation system, or other quasi-governmental organization.
- (2) "PTV owner/manager" is a person having an ownership or control interest in the PTV, as defined in 42 C.F.R. 455.101 (October 1, ~~2016~~ 2020).
- (3) "Related enterprise" is any other business in which a PTV owner/manager has an ownership or control interest.
- (4) "Direct-service PTV employee" is a PTV employee who provides direct services to medicaid recipients.

(B) A CDJFS may hold a contract with a PTV only if the following conditions are met:

- (1) ~~Each PTV owner/manager meets the~~ All applicable disclosure requirements provisions set forth in 42 C.F.R. Part 455, Subpart B (October 1, 2016)2020: are satisfied;
- ~~(2) Each PTV owner/manager identifies all related enterprises, and with respect to those businesses the PTV owner/manager also meets the disclosure requirements set forth in 42 C.F.R. 455 (October 1, 2016).~~
- ~~(3) The PTV discloses the following information for the PTV, each PTV owner/manager, and any related enterprise:~~
 - ~~(a) Name;~~
 - ~~(b) Medicaid provider name if applicable;~~
 - ~~(c) Physical address;~~
 - ~~(d) Mailing address if different;~~

- ~~(e) Tax identification number;~~
- ~~(f) Medicaid provider number if applicable; and~~
- ~~(g) National provider identifier (NPI) if applicable.~~

~~(4)~~(2) Whenever a contract between the CDJFS and the PTV is established or renewed and whenever the PTV is considering an applicant for a position as a direct-service PTV employee, the following ~~actions are taken~~ two conditions are met:

(a) A criminal background check ~~is performed~~ in accordance with section 109.572 of the Revised Code on each direct-service PTV employee or applicant returns one of two results:-

~~(i) The result of the criminal background check must substantiate that no~~ The direct-service PTV employee or applicant on whom the criminal background check was performed has ever has never been convicted of or pleaded guilty to an offense listed in divisions (A)(3)(a) to (A)(3)(e) of section 109.572 of the Revised Code: (a disqualifying offense); or

(ii) The direct-service PTV employee or applicant has been convicted of or pleaded guilty to a disqualifying offense and one of the following criteria is met:

(a) The individual has satisfied the conditions associated with any applicable exclusionary periods set forth in rule 5160-43-09 of the Administrative Code; or

(b) The individual has obtained a certificate of qualification for employment in accordance with section 2953.25 of the Revised Code or an equivalent certification issued by another state or federal jurisdiction; and

~~(b) The CDJFS performs a search of the databases listed in rule 5160-43-09 of the Administrative Code for the PTV, each PTV owner/manager, and each direct-service PTV employee or for each applicant. The result of the search must substantiate that none of the entities for which the search was performed is currently listed in any of the databases as sanctioned or excluded. A search substantiates that no PTV, PTV owner/manager, or direct-service PTV employee or applicant is currently listed as sanctioned or excluded in either of the following databases:~~

(i) The system for award management (SAM) maintained by the United States general services administration; or

(ii) The list of excluded individuals and entities (LEIE) maintained by the office of inspector general in the United States department of health and human services.

(C) Not later than thirty calendar days either after a contract period has started or after a criminal background check and database search ~~has~~ have been performed for an applicant, the CDJFS ~~must document~~ documents and submit to the department or its designee the relevant information indicated in paragraph (B) of this rule, in the format specified by the department or its designee.

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Certification

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Date

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