

5160-3-06

**Criteria for the protective level of care.**

- (A) This rule describes the criteria for an adult to be determined to have a protective level of care. This rule applies to children only when the child is age eighteen through twenty years, and is a residential state supplement (RSS) applicant as defined in rule 5122-36-02 of the Administrative Code.
- (B) An adult will be determined to have a protective level of care when the adult has a need for:
- (1) Less than twenty-four hour support in order to prevent harm due to a cognitive impairment, as diagnosed by a physician or other licensed health professional acting within his or her applicable scope of practice, as defined by law, and as determined by an Ohio department of medicaid (ODM) approved assessment instrument; or
  - (2) Assistance with at least three instrumental activities of daily living (IADL) as described in paragraph (D) of this rule; and either
    - (a) A minimum of supervision of one activity of daily living (ADL) as described in paragraph (C) of this rule; or
    - (b) A minimum of supervision of medication self-administration.
- (C) For the purpose of meeting the criteria described in paragraph (B)(2) of this rule, an adult has a need in an ADL when:
- (1) The adult requires a minimum of supervision of bathing in at least one of the following three components:
    - (a) Applying cleansing agent;
    - (b) Rinsing; or
    - (c) Drying.
  - (2) The adult requires a minimum of supervision of dressing in at least one of the following two components:
    - (a) Putting on and taking off an item of clothing or prosthesis; or
    - (b) Fastening and unfastening an item of clothing or prosthesis.
  - (3) The adult requires a minimum of supervision of eating in at least one of the following three components:

(a) Getting food into his or her mouth:

(b) Chewing; or

(c) Swallowing.

(4) The adult requires a minimum of supervision of grooming in all of the following three components:

(a) Hair care, including:

(i) Washing one's hair; or

(ii) Brushing or combing one's hair.

(b) Nail care, including:

(i) Cutting fingernails; or

(ii) Cutting toenails.

(c) Oral hygiene:

(5) The adult requires a minimum of supervision of mobility in at least one of the following three components:

(a) Bed mobility:

(b) Locomotion; or

(c) Transfers inside the house.

(6) The adult requires a minimum of supervision of toileting in at least one of the following four components:

(a) Using a toilet, bedpan, or urinal:

(b) Changing incontinence supplies or feminine hygiene products;

(c) Cleansing self; or

(d) Managing an ostomy or catheter.

(D) For the purposes of meeting the criteria described in paragraph (B) of this rule, an adult has a need in an IADL when:

- (1) The adult requires assistance with community access in at least one of the following three components:
  - (a) Accessing transportation;
  - (b) Telephoning, including the use of technology to connect to community services; or
  - (c) Transfers outside the house.
- (2) The adult requires assistance with housework in at least three of the following six components:
  - (a) Cleaning and storing dishes;
  - (b) Cleaning the bathroom;
  - (c) Dusting;
  - (d) Picking up clutter to ensure clear pathways and unblocked exits;
  - (e) Sweeping and mopping floors; or
  - (f) Taking out the trash.
- (3) The adult requires assistance with meal preparation in at least one of the following three components:
  - (a) Cutting food;
  - (b) Opening packages; or
  - (c) Preparing food.
- (4) The adult requires assistance with money management such as managing the household budget and paying the bills.
- (5) The adult requires assistance with personal laundry.
- (6) The adult requires assistance with shopping.

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Effective:

Five Year Review (FYR) Dates:

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Certification

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Date

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