

5160-31-03

Eligibility for enrollment in the PASSPORT HCBS waiver program.

(A) ~~Before an individual can be eligible for enrollment in the pre-admission screening system providing options and resources today (PASSPORT) home and community based services (HCBS) waiver program, all of the following criteria must be met:~~ To be eligible for the medicaid-component of the pre-admission screening system providing options and resources today (PASSPORT) program, an individual must meet all of the following requirements:

- (1) The individual must have been determined eligible for medicaid in accordance with ~~rules Chapters 5160:1-2-03~~5160:1-1 to 5160:1-5 and ~~5160:1-1-58~~ of the Administrative Code.
- (2) The waiver service cost of the twelve-month service plan does not exceed the individual cost limit. The individual cost limit is equal to fourteen thousand and seven hundred dollars per month for waiver services.
 - (a) If the ~~PASSPORT administrative agency (PAA)~~ Ohio Department of Aging's (ODA) designee determines that the applicant's waiver service needs cannot be met within the individual cost limit, the individual shall not be enrolled.
 - (b) Once enrolled in PASSPORT, additional waiver services may not be authorized in excess of the fourteen thousand and seven hundred dollars per month individual cost limit. When a change in condition occurs that necessitates the provision of additional waiver services, referrals to other community services, including institutional services, will be explored.
 - (c) If the individual's waiver service needs exceed the individual cost limit of fourteen thousand seven hundred dollars per month, the individual shall be disenrolled from the waiver.
- (3) The needed services are not readily available through another source at the level required to allow the individual to live in the community.
- (4) The individual agrees to participate in PASSPORT and while enrolled in PASSPORT, shall not be simultaneously enrolled in the state-funded component of the PASSPORT program, the state-funded component of the assisted living program, another medicaidHCBS home and community-based medicaid waiver program, the residential state supplement (RSS) program, or the program of all inclusive care for the elderly (PACE) while enrolled in PASSPORT.

- (5) The individual's health related needs can be safely met in a home setting as determined by the PAAODA's designee.
- (6) The individual will participate in the development of a person-centered services plan in accordance with the process and requirements set forth in rule 5160-44-02 of the Administrative Code.
- ~~(6)(7)~~ Prior to PASSPORT enrollment, the The individual's attending physician must approve that the services are appropriate to meet the individual's needs. The physician's approval may be either verbal or written. If the approval is verbal, written approval must be obtained within thirty days of the enrollment date. The PAAODA's designee shall be responsible for obtaining the physician's approval.
- ~~(7)(8)~~ While receiving PASSPORT, the individual must reside in a setting that possesses the home and community-based setting characteristics set forth in rule 5160-44-01 of the Administrative Code and not be a resident of either a Keys amendment facility, a hospital or a nursing facility (NF) as defined in rule 5160-31-02 of the Administrative Code. For purposes of this rule, a resident of a Keys amendment facility is an individual who receives services from the facility and is not a family member of the owner or operator of the facility.
- ~~(8)(9)~~ The individual is age sixty or older at the time of enrollment.
- ~~(9)(10)~~ The individual must be determined to meet the criteria for an intermediate or skilled level of care in accordance with rule 5160-3-08 of the Administrative Code and, in the absence of PASSPORT, would require NF services as defined in 42 C.F.R. 440.40 and 42 C.F.R. 440.150 (as in effect on October 1, 2014).
- ~~(10)(11)~~ PASSPORT has not reached the centers for medicare and medicaid services (CMS)-authorized limit on the number of individuals who may enroll on the waiver during the current year.
- ~~(11)(12)~~ The individual must require the provision of at least one waiver service on a monthly basis as documented in the individual's approved person-centered service plan.
- (B) If, at any time, the individual fails or ceases to meet any of the eligibility ~~criteria~~ requirements identified in this rule, the individual shall be denied or disenrolled from PASSPORT. In such instances, the individual shall be notified of his or her

hearing rights in accordance with division 5101:6 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 03/31/2020

Certification

Date

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