

5160-31-05

PASSPORT HCBS waiver program covered services.

- (A) The purpose of this rule is to establish the services covered by the pre-admission screening system providing options and resources today (PASSPORT) home and community based services (HCBS) waiver program.
- (B) The PASSPORT HCBS waiver program benefit package is limited to the following services:
- (1) Adult day services as set forth in rule 173-39-02.1 of the Administrative Code;
 - (2) Alternative meal services as set forth in rule 173-39-02.2 of the Administrative Code;
 - (3) Choices home care attendant services as set forth in rule 173-39-02.4 of the Administrative Code;
 - ~~(2)~~(4) Chore services as set forth in rule 173-39-02.5 of the Administrative Code;
 - (5) Community transition services as set forth in rule 173-39-02.17 of the Administrative Code;
 - ~~(3)~~(6) Emergency response system services as set forth in rule 173-39-02.6 of the Administrative Code;
 - (7) Enhanced community living services as set forth in rule 173-39-02.20 of the Administrative Code;
 - ~~(4) Home medical equipment and supplies services as set forth in rule 173-39-02.7 of the Administrative Code;~~
 - ~~(5)~~(8) Homemaker services as set forth in rule 173-39-02.8 of the Administrative Code;
 - (9) Home delivered meal services as set forth in rule 173-39-02.14 of the Administrative Code;
 - (10) Home medical equipment and supplies services as set forth in rule 173-39-02.7 of the Administrative Code;
 - (11) Independent living assistance services as set forth in rule 173-39-02.15 of the Administrative Code;
 - ~~(6)~~(12) Minor home modification, maintenance and repair services as set forth in rule 173-39-02.9 of the Administrative Code;

- (13) Non-medical transportation services as set forth in rule 173-39-02.18 of the Administrative Code; and
- ~~(7)~~(14) Nutrition consultation services as set forth in rule 173-39-02.10 of the Administrative Code;
- ~~(8)~~(15) Personal care services as set forth in rule 173-39-02.11 of the Administrative Code;
- (16) Pest control services as set forth in rule 173-39-02.3 of the Administrative Code;
- ~~(9)~~(17) Social work counseling services as set forth in rule 173-39-02.12 of the Administrative Code; and
- ~~(10)~~(18) Transportation services as set forth in rule 173-39-02.13 of the Administrative Code;
- ~~(11) Home delivered meal services as set forth in rule 173-39-02.14 of the Administrative Code;~~
- ~~(12) Independent living assistance services as set forth in rule 173-39-02.15 of the Administrative Code;~~
- ~~(13) Community transition services as set forth in rule 173-39-02.17 of the Administrative Code;~~
- ~~(14) Non-medical transportation services as set forth in rule 173-39-02.18 of the Administrative Code; and~~
- ~~(15) Enhanced community living services as set forth in rule 173-39-02.20 of the Administrative Code.~~
- (C) Services shall be delivered by providers in a manner that is consistent with the ~~consumer's~~individual's service plan as documented in the PASSPORT information management system (PIMS).
- (D) If a ~~PASSPORT consumer~~an individual enrolled on PASSPORT is also a participant in the helping ohioans move, expanding (HOME) choice demonstration program in accordance with Chapter ~~5101:3-51~~5160-51 of the Administrative Code, the ~~consumer~~individual may, at the individual's discretion, use the HOME choice community transitions service in lieu of, but not in addition to, the community transition service available through the PASSPORT waiver program.

(E) If ~~a consumer~~ an individual receives enhanced community living services, per the federally approved waiver, the consumer may not receive either personal care or homemaker services available through the PASSPORT waiver program.

(F) In accordance with the federally approved PASSPORT waiver the services identified in this paragraph are subject to employer and/or budget authority if elected by the individual. Services are to be furnished in accordance with the requirements in paragraph (B) of this rule:

(1) The following services are subject to employer authority, which includes but is not limited to, the ability to hire, fire, and train employees:

(a) Choices home care attendant service; and

(b) Personal care services.

(2) The following services are subject to budget authority, which includes but is not limited to, the ability to negotiate reimbursement rates paid to providers furnishing services:

(a) Alternative meals service;

(b) Choices home care attendant service

(c) Home medical equipment and supplies service;

(d) Minor home modification, maintenance and repair services; and

(e) Pest control service

~~(F)~~ (G) Consumers An individual who ~~elects~~ elects to self-direct ~~personal care~~ any of the services provided in paragraph (F) of this rule ~~by consumer-directed personal care providers~~ must shall be assessed by their case manager to determine the ~~consumer's~~ individual's ability to self-direct their ~~services~~ care ~~and assume the responsibilities of an employer~~ as set forth in rule 173-42-06 of the Administrative Code.

(1) If ~~a consumer~~ an individual demonstrates the ability to self-direct their care ~~and assume the responsibilities of an employer of ODA-certified long-term care personal care providers~~, the case manager may initiate the orientation process to familiarize the ~~consumer~~ individual with the self-direction of services including the role of the financial management service (FMS).

(2) If the ~~consumer~~ individual is unable to demonstrate the ability to self-direct his

or her care and to assume the responsibilities ~~of an employer of ODA-certified long-term care personal care providers associated with the self-direction authorities in paragraph (F) of this rule~~, the ~~consumer~~ individual may choose an authorized representative to act on ~~the consumer's~~ his or her behalf.

(3) If no authorized representative is available, the case manager will assist the ~~consumer~~ individual with obtaining services through ODA-certified long-term care agency providers.

~~(G)~~(H) If a ~~consumer~~ individual who is seeking to self-direct his or her care chooses an authorized representative to act on his or her behalf in accordance with paragraph ~~(F)~~(2) of this rule, the authorized representative shall not simultaneously serve as the consumer's authorized representative and the consumer's ~~consumer-directed personal care~~ provider.

Effective: 03/01/2014

R.C. 119.032 review dates: 11/29/2013 and 03/01/2019

CERTIFIED ELECTRONICALLY

Certification

02/07/2014

Date

Promulgated Under: 119.03
Statutory Authority: 5166.02
Rule Amplifies: 5166.02, 173.52
Prior Effective Dates: 7/16/84, 12/22/86 (Emer.), 3/23/87, 7/1/90, 9/1/98,
7/1/06, 7/1/08, 6/28/09, 3/17/11