

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) program.
- (B) The PASSPORT program benefit package is limited to the following services:
- (1) Adult day as set forth in rule 173-39-02.1 of the Administrative Code;
  - (2) Alternative meals as set forth in rule 173-39-02.2 of the Administrative Code;
  - (3) Choices home care attendant as set forth in rule 173-39-02.4 of the Administrative Code;
  - (4) Community integration as set forth in rule 173-39-02.15 of the Administrative Code;
  - (5) Community transition as set forth in rule 173-39-02.17 of the Administrative Code;
  - (6) Enhanced community living as set forth in rule 173-39-02.20 of the Administrative Code;
  - (7) Homemaker as set forth in rule 173-39-02.8 of the Administrative Code;
  - (8) Home care attendant as set forth in rule 173-39-02.24 of the Administrative Code;
  - (9) Home delivered meals as set forth in rule 173-39-02.14 of the Administrative Code;
  - (10) Home maintenance and chore as set forth in rule 173-39-02.5 of the ~~Administrative~~ Administrative Code;
  - (11) Home medical equipment and supplies as set forth in rule 173-39-02.7 of the Administrative Code;
  - (12) ; Home modification as set forth in rule 173-39-02.9 of the Administrative Code;
  - ~~(13) Non-emergency medical transportation as set forth in rule 173-39-02.13 of the Administrative Code;~~
  - ~~(14)~~ (13) Non-medical transportation as set forth in rule 173-39-02.18 of the Administrative Code;

- ~~(15)~~(14) Nutrition consultation as set forth in rule 173-39-02.10 of the Administrative Code;
  - ~~(16)~~(15) Out-of-home respite as set forth in rule 173-39-02.23 of the Administrative Code;
  - ~~(17)~~(16) Personal care as set forth in rule 173-39-02.11 of the Administrative Code;
  - ~~(18)~~(17) Personal emergency response system as set forth in rule 173-39-02.6 of the Administrative Code;
  - ~~(19)~~(18) Social work or counseling as set forth in rule 173-39-02.12 of the Administrative Code; and
  - ~~(20)~~(19) Waiver nursing as set forth in rule 173-39-02.22 of the Administrative Code.
- (C) Services shall be delivered by providers in a manner that is consistent with the individual's person-centered services plan as documented in the PASSPORT information management system (PIMS).
- (D) 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 shall be provided in accordance with the requirements in paragraph (B) of this rule:
- (1) The following services are subject to employer authority, including the ability to hire, fire, and train employees:
    - (a) Choices home care attendant; and
    - (b) Personal care.
  - (2) The following services are subject to budget authority, including the ability to negotiate reimbursement rates paid to providers furnishing services:
    - (a) Alternative meals;
    - (b) Choices home care attendant;
    - (c) Home medical equipment and supplies;
    - (d) Home maintenance and chore; and
    - (e) Home modification

- (E) An individual who elects to direct any of the services provided in paragraph (D) of this rule shall be assessed by their case manager to determine the individual's ability to direct their services as set forth in rule 173-42-06 of the Administrative Code.
- (1) If an individual demonstrates the ability to direct their services, the case manager may initiate the orientation process to familiarize the individual with the participant direction of services including the role of the financial management service (FMS).
  - (2) If an individual is unable to demonstrate the ability to direct his or her care and to assume the responsibilities associated with the participant direction authorities in paragraph (D) of this rule, the individual may choose an authorized representative to act on his or her behalf.
  - (3) If no authorized representative is available, the case manager shall assist the individual with obtaining services through ODA-certified long-term care agency providers.
- (F) If an individual who is seeking to direct his or her services chooses an authorized representative to act on his or her behalf in accordance with paragraph (E)(2) of this rule, the authorized representative shall not simultaneously serve as the individual's authorized representative and the individual's provider.

Effective: 8/6/2023

Five Year Review (FYR) Dates: 5/12/2023 and 08/06/2028

CERTIFIED ELECTRONICALLY

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Certification

07/27/2023

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Date

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Rule Amplifies: 173.52  
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