

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 meals ~~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;
  - (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;
  - ~~(6) Emergency response system services as set forth in rule 173-39-02.6 of the Administrative Code;~~
  - ~~(7)~~(6) Enhanced community living ~~services~~ as set forth in rule 173-39-02.20 of the Administrative Code;
  - ~~(8)~~(7) Homemaker ~~services~~ as set forth in rule 173-39-02.8 of the Administrative Code;
  - ~~(9)~~(8) Home care attendant ~~services~~ as set forth in rule 173-39-02.24 of the Administrative Code;
  - ~~(10)~~(9) Home delivered meals ~~services~~ as set forth in rule 173-39-02.14 of the Administrative Code;
  - ~~(11)~~(10) Home medical equipment and supplies ~~services~~ as set forth in rule 173-39-02.7 of the Administrative Code;
  - ~~(12)~~(11) Independent living assistance ~~services~~ as set forth in rule 173-39-02.15 of the Administrative Code;
  - ~~(13)~~(12) Minor home modification, maintenance and repair ~~services~~ 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) Non-medical transportation ~~services~~ as set forth in rule 173-39-02.18 of the Administrative Code;
- (15) Nutrition consultation ~~services~~ as set forth in rule 173-39-02.10 of the Administrative Code;
- (16) Out-of-home respite ~~services~~ as set forth in rule 173-39-02.23 of the Administrative Code;
- (17) Personal care ~~services~~ as set forth in rule 173-39-02.11 of the Administrative Code;
- (18) Personal emergency response system as set forth in rule 173-39-02.6 of the Administrative Code;
- ~~(18)~~(19) Pest control ~~services~~ as set forth in rule 173-39-02.3 of the Administrative Code;
- ~~(19)~~(20) Social work counseling ~~services~~ as set forth in rule 173-39-02.12 of the Administrative Code; and
- ~~(20) Transportation services as set forth in rule 173-39-02.13 of the Administrative Code; and~~
- (21) Waiver nursing ~~services~~ 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) If an individual enrolled on PASSPORT is also a participant in the helping ohioans move, expanding (HOME) choice ~~demonstration~~ program in accordance with Chapter 5160-51 of the Administrative Code, the 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 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)~~(E) 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~~ shall be provided 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,~~ including 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,~~ including 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~~.

~~(G)~~(F) An individual who elects to ~~self-participant~~-direct any of the services provided in paragraph ~~(FE)~~ of this rule shall be assessed by their case manager to determine the individual's ability to self-direct their services as set forth in rule 173-42-06 of the Administrative Code.

(1) If an individual demonstrates the ability to self-direct their ~~care~~ services, the case manager may initiate the orientation process to familiarize the individual with the self-direction of services including the role of the financial management service (FMS).

(2) If ~~the an~~ individual is unable to demonstrate the ability to self-direct his or her care and to assume the responsibilities associated with the self-direction authorities in paragraph ~~(FE)~~ 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 will assist the individual with obtaining services through ODA-certified long-term care agency providers.

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

Effective:

Five Year Review (FYR) Dates: 10/16/2018

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Certification

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Date

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