

TO BE RESCINDED

5160-32-02 **Definitions for the choices home and community-based services (HCBS) waiver program.**

Definitions as used in this chapter:

- (A) "ADL" means activities of daily living including bathing; grooming; toileting; dressing; eating; and mobility that refers to bed mobility, transfer, and locomotion as these are defined in rules 5101:3-3-06 and 5101:3-3-08 of the Administrative Code.
- (B) "Agency Provider" means an established business who employs staff to provide choices program services, has a signed medicaid provider agreement with the Ohio department of job and family services (ODJFS) to provide choices program services, and meets the choices conditions of participation set forth in rule 5101:3-32-04 of the Administrative Code.
- (C) "Assessment" means a face-to-face evaluation used to obtain information about an individual including his or her condition, personal goals and preferences, functional limitations, health status and other factors that are relevant to the authorization and provision of services. Assessment information supports the determination that an individual requires waiver services as well as the development of a service plan.
- (D) "Authorized representative" means a person eighteen years of age or older, who is chosen by and acts on behalf of an individual who is applying for or receiving medical assistance. In accordance with rule 5101:1-38-01.2 of the Administrative Code, the individual must provide a written statement naming the authorized representative and the duties that the named authorized representative may perform on the individual's behalf.
- (E) "C.F.R." means the code of federal regulations.
- (F) "Caregivers" mean relatives, friends, and/or significant others who voluntarily provide assistance to the consumer and are responsible for the consumer's care on a continuing basis.
- (G) "Case management" means a set of person centered activities provided by the PASSPORT administrative agency that are undertaken to ensure that the waiver consumer receives appropriate and necessary services. Under a HCBS waiver, these activities may include, but are not necessarily limited to, assessment, service plan development, service plan implementation and service monitoring as well as assistance in accessing waiver, state plan, and other non-medicaid services and resources.

- (H) "CDJFS" means a county department of job and family services.
- (I) "Choices" or "choices home and community based services (HCBS) waiver program" means an HCBS waiver program which provides home and community-based services including the opportunity to self-direct certain waiver services to individuals age sixty and over who have the level of care required for placement in a nursing facility if the waiver program were not available and meet the choices program eligibility and enrollment criteria as described in Chapter 5101:3-32 of the Administrative Code.
- (J) "CMS" means the centers for medicare and medicaid services, a federal agency that is part of the United States department of health and human services, and which administers the medicaid program and approves home and community-based services (HCBS) waivers.
- (K) "Consumer" means the choices HCBS waiver program participant. Consumer includes the individual's legal representative and/or authorized representative, as applicable, who assists in directing the consumer's care.
- (L) "Direct service worker" means the paid agency provider staff or individual provider who has in-person contact with the choices consumer while providing choices services.
- (M) "FMS" or "financial management service" is a support provided to waiver participants who direct some or all of their waiver services. In the choices waiver, this support is provided as an administrative activity. When used in conjunction with the self-direction authority available to consumer in choices, this support includes operating a payroll service for participant-employed workers and making required payroll withholdings.
- (N) "IADL" means instrumental activities of daily living including shopping; meal preparation; laundry; community access activities that include telephoning, transportation, legal or financial; and environmental maintenance activities that are house cleaning, heavy chores, and yard work or maintenance, as these are defined in rule 5101:3-3-08 of the Administrative Code.
- (O) "Individual provider" means a person with a signed medicaid provider agreement with ODJFS to provide choices services, and who meets the choices HCBS waiver program conditions of participation set forth in rule 5101:3-32-04 of the Administrative Code and who is not the spouse, parent, stepparent, and/or legal guardian of the consumer.

- (P) "ODA" means the Ohio department of aging.
- (Q) "ODJFS" means the Ohio department of job and family services.
- (R) "PAA" means PASSPORT administrative agency.
- (S) "PASSPORT" means the preadmission screening system providing options and resources today HCBS waiver program authorized in section 173.40 of the Revised Code.
- (T) "Service Plan" means a written, person centered plan between the consumer, the consumer's case manager at the PAA and, as applicable, the consumer's caregiver(s). The service plan specifies the services that are provided to the consumer, regardless of funding source, to address the consumer's individual care needs as identified in the consumer's assessment.

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