

5160-33-07      **Assisted living home and community based services (HCBS)  
waiver rate setting.**

- (A) The purpose of this rule is to describe the methods used to determine provider rates for the assisted living HCBS waiver as set forth in appendix A to rule ~~5101:3-1-06.5~~ 5160-1-06.5 of the Administrative Code.
- (B) Provider rates will be determined for the following categories:
- (1) Per job bid rate or deposit made.
  - (2) Unit rate.
- (C) A per job bid rate or deposit made shall be determined on a per job basis for the community transition service as set forth in rule 173-39-02.17 of the Administrative Code. The cost per job shall be reimbursed at a per job bid rate that is negotiated and approved by Ohio department of aging's (ODA) designee and accepted by the ~~consumer~~ individual. The per job bid rate includes the cost of the purchase, delivery, and set-up of items. Deposits made include set-up fees or deposits for utility service access.
- (D) A unit rate shall be based on a three-tiered model, and shall not exceed the amounts in appendix A to rule ~~5101:3-1-06.5~~ 5160-1-06.5 of the Administrative Code. These rates will be used for assisted living services as set forth in rule 173-39-02.16 of the Administrative Code.
- (1) The rate for assisted living services for each ~~consumer~~ individual shall be determined by the ~~ODA's designee preadmission screening system providing options and resources today (PASSPORT) administrative agency~~ through an assessment of the ~~consumer~~ individual's service needs in four areas:
    - (a) Cognitive impairments,
    - (b) Medication administration,
    - (c) Nursing services, and
    - (d) Functional impairments.
  - (2) The assisted living HCBS waiver provider must agree to provide the services in the ~~consumer's individual's person-centered service plan~~ individual's person-centered service plan at the rate determined by the assessment.

- (E) ODA certified assisted living providers shall only be reimbursed for assisted living services authorized by ~~the PASSPORT administrative agency (PAA)~~ ODA's designee and reflected on the ~~consumer's~~ individual's person-centered service plan.
- (F) Assisted living service payment constitutes payment in full and may not be construed as a partial payment when the payment amount is less than the provider's charge. The provider may not bill the ~~consumer~~ individual of assisted living HCBS waiver program services for any difference between the medicaid payment and the provider's charge or request that the ~~consumer~~ individual share in the cost through a co-payment or other similar charge.
- (G) The assisted living service payment is for assisted living services as defined in rule 173-39-02.16 of the Administrative Code and does not include payment for room and board as calculated pursuant to rule ~~5101:3-33-03~~ 5160-33-03 of the Administrative Code, which is the responsibility of the ~~consumer~~ individual.

Effective:

Five Year Review (FYR) Dates: 12/27/2016

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Certification

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Date

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