

5160-44-26

Nursing facility-based level of care home and community-based services programs: community transition services.

(A) "Community transition services" pay for non-recurring start-up living expenses for individuals transitioning from an institutional setting to a home and community-based services (HCBS) setting that is compliant with rule 5160-44-01 of the Administrative Code. Community transition services:

(1) Include expenses necessary to enable an individual to establish a basic household.

Examples include:

- (a) Security deposits and rental expenses required to obtain a residential lease;
- (b) Basic household items required to occupy and maintain housing, including window coverings, food preparation items, and linens;
- (c) Fees and deposits for utility and service access, including telephone/cellphone, electricity, gas, garbage, and water;
- (d) Moving expenses;
- (e) Pre-transition transportation necessary to secure housing and benefits, etc.;
- (f) Initial cleaning and household supplies;
- (g) Activities to arrange for and to procure other non-recurring set-up expenses; and
- (h) The provider's administrative cost associated with providing community transition services under this rule. Such fees shall be included in the authorization described in paragraph (A)(2)(b) of this rule.

(2) Are payable only to the extent:

- (a) They are determined reasonable and necessary through the person-centered services planning process described in rule 5160-44-02 of the Administrative Code and are clearly identified in an individual's person-centered services plan; and
- (b) They are authorized by the Ohio department of medicaid (ODM), the Ohio department of aging (ODA) or their designee in an individual's person-centered services plan, which shall only occur if no other person, including a landlord, has a legal or contractual responsibility to fund the expense, and if family, neighbors, friends, or community resources are unavailable to fund the expense.

- (3) May be authorized up to one hundred eighty consecutive days before an individual's transition from an institutional setting into an HCBS setting. The date of service for purposes of payment shall be the date the individual leaves the institutional setting. If the individual fails to transition to an HCBS setting, the service is still payable if all other requirements are met.
- (4) Shall be provided no later than thirty days after the date on which an individual enrolls on the waiver.

(B) Community transition services do not include:

- (1) Room and board, ongoing monthly rental, or mortgage expenses;
- (2) Grocery expenses;
- (3) Ongoing utility or service expenses;
- (4) Ongoing cable or internet expenses;
- (5) Electronic and other household appliances and items intended to be used for entertainment or recreational purposes; and
- (6) Tobacco products and alcohol.

(C) Limitations.

- (1) Community transition services shall only be used one time per individual per waiver enrollment.
- (2) Community transition services shall not exceed two thousand dollars per individual per waiver enrollment.

(D) The provider shall involve the individual and/or caregiver(s) in the selection of items to be purchased on the individual's behalf.

(E) Providers shall:

- (1) Be either:
 - (a) An ODM-approved or ODA-certified waiver agency provider;
 - (b) An ODM-approved or ODA-certified non-agency provider;
 - (c) A transition coordination service provider under contract with ODM that also meets the requirements set forth in paragraph (E)(1) of this rule; or

- (d) An ODA-certified assisted living waiver service provider.
 - (2) Comply with the requirements set forth in rule 5160-44-31 of the Administrative Code for an ODM-administered waiver program, or Chapter 173-39 of the Administrative Code for the pre-admission screening system providing options and resources today (PASSPORT) or assisted living programs.
- (F) All providers shall maintain a record at their place of business for each individual served in accordance with the requirements set forth in rule 5160-44-31 of the Administrative Code, or with the requirements set forth in Chapter 173-39 of the Administrative Code for the PASSPORT program. For each service provided, the record shall include:
- (1) The individual's name;
 - (2) Date of service;
 - (3) A detailed description of each expense;
 - (4) A receipt for each expense;
 - (5) Verification the individual was involved in the selection of all items; and
 - (6) The individual's signature to verify receipt of the service.
- (G) Notwithstanding any provisions to the contrary in this rule, during the COVID-19 state of emergency the following apply:
- (1) If the signature requirement in paragraph (F)(6) of this rule cannot be met at the time of the service, the provider may accept an electronic signature or standard signature via regular mail from the individual, or otherwise obtain signature no later than at the next face-to-face visit with the individual.
 - (2) ODM and ODA are authorized to deem any provider approved by ODM or certified by ODA or the Ohio department of developmental disabilities (DODD) to provide waiver services as having satisfied the requirements for approval by ODM or certification by ODA for the same or similar services.

Effective: 6/12/2020

CERTIFIED ELECTRONICALLY

Certification

06/12/2020

Date

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