

5160-58-04

**MyCare Ohio waiver: covered services and providers.**

- (A) The purpose of this rule is to establish both the services covered by the MyCare Ohio home and community based services (HCBS) waiver program and the providers eligible to furnish those services to members enrolled in the MyCare Ohio waiver.
- (B) Providers seeking to furnish services in the MyCare Ohio waiver program shall meet the requirements in Chapter 173-39, 5160-45 or 5160-44 of the Administrative Code, as appropriate. Prior to furnishing services to MyCare Ohio waiver recipients, the services must be documented on the member's person-centered services plan as described in rule 5160-44-02 of the Administrative Code.
- (C) MyCare Ohio waiver covered services are limited to the following and exclude any reimbursement provisions in the Ohio Administrative Code rules cited therein:
- (1) Adult day health services as set forth in rule 173-39-02.1 or 5160-46-04 of the Administrative Code;
  - (2) Alternative meal services as set forth in rule 173-39-02.2 of the Administrative Code;
  - (3) Assisted living services as set forth in rule 173-39-02.16 of the Administrative Code;
  - (4) Choices home care attendant services as set forth in rule 173-39-02.4 of the Administrative Code except MyCare waiver providers are not required to submit task sheets to the financial management service (FMS), as identified in rule 173-39-02.4 of the Administrative Code;
  - (5) Community integration services as set forth in rule 173-39-02.15 or 5160-44-14 of the Administrative Code;
  - (6) Community transition services as set forth in rule 173-39-02.17 or 5160-44-26 of the Administrative Code;
  - (7) Enhanced community living services as set forth in rule 173-39-02.20 of the Administrative Code.
  - (8) Homemaker services as set forth in rule 173-39-02.8 of the Administrative Code;
  - (9) Home care attendant services as set forth in rule 173-39-02.24 or 5160-44-27 of the Administrative Code;
  - (10) Home delivered meal services as set forth in rule 173-39-02.14 or 5160-44-11 of the Administrative Code;

- (11) Home maintenance and chore services as set forth in rule 173-39-02.5 or 5160-44-12 of the Administrative Code.
  - (12) Home medical equipment and supplemental adaptive and assistive devices services as set forth in rule 173-39-02.7 or 5160-46-04 of the Administrative Code;
  - (13) Home modification services as set forth in rule 173-39-02.9 or 5160-44-13 of the Administrative Code;
  - (14) Nutrition consultation services as set forth in rule 173-39-02.10 of the Administrative Code;
  - (15) Out-of- home respite services as set forth in rule 173-39-02.23 or 5160-44-17 of the Administrative Code;
  - (16) Personal care aide services as set forth in rule 173-39-02.11 or 5160-46-04 of the Administrative Code;
  - (17) Personal emergency response services as set forth in rule 173-39-02.6 or 5160-44-16 of the Administrative Code;
  - ~~(18) Pest control services as set forth in rule 173-39-02.3 of the Administrative Code;~~
  - ~~(19)~~(18) Social work counseling services as set forth in rule 173-39-02.12 of the Administrative Code;
  - ~~(20)~~(19) Waiver nursing services as set forth in rule 173-39-02.22 or 5160-44-22 of the Administrative Code; and
  - ~~(21)~~(20) Waiver transportation services as set forth in ~~rules 173-39-02.13 and rule~~ rule 173-39-02.18 or 5160-46-04 of the Administrative Code.
- (D) If a member enrolled in the MyCare Ohio waiver is also a participant in the helping ohioans move, expanding (HOME) choice demonstration program pursuant to Chapter 5160-51 of the Administrative Code, the member may use the HOME choice community transitions service in lieu of, but not in addition to, the community transition service available through the MyCare Ohio waiver.
- (E) If a member receives enhanced community living services, the member shall not also receive personal care or homemaker services available through the MyCare Ohio waiver.

(F) The following services may be participant-directed using budget and/or employer authority. To exercise these authorities, members must demonstrate the ability to direct providers in accordance with paragraph (D) of rule 5160-58-03.2 of the Administrative Code:

(1) Employer authority which includes, but is not limited to, the ability of the member to hire, fire, and train employees is available for the following services:

(a) Choices home care attendant services provided by a participant-directed individual provider; ~~and~~

(b) Personal care services provided by a participant-directed personal care provider; and

(c) Any additional services that are permitted to be self-directed under an ODM-administered waiver in Chapter 5160-45 of the Ohio Administrative Code.

(2) Budget authority which includes the ability of the member to negotiate rates of reimbursement is available in the following services:

(a) Alternative meals;

(b) Choices home care attendant services;

(c) Home maintenance and chore services;

(d) Home modification services; ~~and~~

(e) Home medical equipment and supplemental adaptive and assistive devices; and

(f) Any additional services that are permitted to be self-directed under an ODM-administered waiver in Chapter 5160-45 of the Ohio Administrative Code.

Effective:

Five Year Review (FYR) Dates: 1/1/2024

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Certification

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Date

Promulgated Under: 119.03  
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Rule Amplifies: 5164.02, 5164.91, 5166.02, 5166.16  
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