

5160-58-04                    **MyCare Ohio HCBS Waiver Program 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 HCBS waiver program shall meet the requirements in Chapters 173-39 or 5160-45 of the Administrative Code, as appropriate, prior to furnishing services in the MyCare Ohio HCBS waiver.
- (C) The MyCare Ohio HCBS waiver program's 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 ~~rules~~rule 5160-46-04 and ~~5160-50-04~~ 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;
  - (5) Chore services as set forth in rule 173-39-02.5 of the Administrative Code;
  - (6) Community transition services as set forth in rule 173-39-02.17 of the Administrative Code;
  - (7) Emergency response services as set forth in rule 173-39-02.6 or ~~rules~~ rule 5160-46-04 and ~~5160-50-04~~ of the Administrative Code;
  - (8) Enhanced community living services as set forth in rule 173-39-02.20 of the Administrative Code.
  - (9) Homemaker services as set forth in rule 173-39-02.8 of the Administrative Code;

- (10) Home care attendant services as set forth in ~~rules~~ rule 5160-46-04.1 ~~and 5160-50-04.1~~ of the Administrative Code;
- (11) Home delivered meal services as set forth in rule 173-39-02.14 or ~~rules~~rule 5160-46-04 ~~and 5160-50-04~~ 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 ~~rules~~rule 5160-46-04 ~~and 5160-50-04~~ of the Administrative Code;
- (13) Home modification, maintenance and repair services as set forth in rule 173-39-02.9 or ~~rules~~rule 5160-46-04 ~~and 5160-50-04~~ of the Administrative Code;
- (14) Independent living assistance services as set forth in rule 173-39-02.15 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 ~~rules~~rule 5160-46-04 ~~and 5160-50-04~~ of the Administrative Code;
- (17) Personal care services as set forth in rule 173-39-02.11 or ~~rules~~rule 5160-46-04 ~~and 5160-50-04~~ of the Administrative Code;
- (18) Pest control services as set forth in rule 173-39-02.3 of the Administrative Code;
- (19) Shared living services as set forth in rule 173-39-02.25 of the Administrative Code;
- ~~(19)~~(20) Social work counseling services as set forth in rule 173-39-02.12 of the Administrative Code;
- ~~(20)~~(21) Waiver nursing services as set forth in ~~rules~~rule 5160-46-04 ~~and 5160-50-04~~ of the Administrative Code; and
- ~~(21)~~(22) Waiver transportation services as set forth in rules 173-39-02.13 and 173-39-02.18 or ~~rules~~rule 5160-46-04 ~~and 5160-50-04~~ of the Administrative Code.

- (D) If a member enrolled in the MyCare Ohio HCBS waiver program is also a participant in the helping ~~ohioans~~Ohioans move, expanding (HOME) choice demonstration program pursuant to Chapter 5160-51 of the Administrative Code, the members may, at their discretion, use the HOME choice community transitions service in lieu of, but not in addition to, the community transition service available through the MyCare Ohio HCBS waiver program.
- (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 HCBS waiver program.
- (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 (E) 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 consumer-directed individual provider; and
    - (b) Personal care services provided by a consumer-directed personal care provider.
  - (2) Budget authority which includes, but is not limited to, 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 modification, maintenance and repair;
    - (d) Pest control; and
    - (e) Home medical equipment and supplemental adaptive and assistive devices.

Effective:

Five Year Review (FYR) Dates: 04/14/2017

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 5164.02, 5166.02  
Rule Amplifies: 5164.02, 5164.91, 5166.02, 5166.16  
Prior Effective Dates: 3/1/2014