

173-2-01**AAAs: introduction and definitions.**

(A) Introduction: This chapter governs planning and service area designations and changes to designations; an intrastate funding formula; ODA's area agency on aging designations and changes to designations; area plans; monitoring and corrective actions; and withdrawal of an AAA designation.

(B) Definitions for this chapter and chapters 173-3 and 173-4 of the Administrative Code:

"AAA-provider agreement" (agreement) means a contract or grant agreement between an AAA and a provider for the provision of services to consumers.

"Activities of daily living" (ADLs) has the same meaning as in rule 5160-3-05 of the Administrative Code.

"Agency provider" means a provider hiring persons to provide services to consumers.

"Area agency on aging" (AAA) means an entity that ODA designates as an area agency on aging under section 173.011 of the Revised Code and 45 C.F.R. 1321.19.

"Assessment" means a gathering of information about a person's strengths, problems, financial resources, and care needs in the following major functional areas: physical health, use of medical care, ADLs, IADLs, mental and social functioning, physical environment, and use of services and supports.

"Assistance with self-administration of medication" has the same meaning as in paragraph (C) of rule 4723-13-02 of the Administrative Code when an unlicensed person provides the assistance.

"Business day" means any day that is not a Saturday, Sunday, or legal holiday in section 1.14 of the Revised Code.

"Caregiver" and "family caregiver" have the same meaning as "family caregiver" in 42 U.S.C. 3022.

"Case management" has the same meaning as "case management service" in 42 U.S.C. 3002.

"Competency evaluation" includes both standardized testing (which may include written testing) and skills testing by return demonstration to ensure an applicant or employee is able to address the care needs of the consumer to be served.

"Congregate dining project" means a nutrition project that complies with rule 173-4-05.1 of the Administrative Code.

"Congregate dining project based in restaurants and supermarkets" means a nutrition project that complies with rule 173-4-05.3 of the Administrative Code.

"Consumer" means, for the purposes of services paid for, in whole or in part, with Older Americans Act funds, any person sixty years of age or older, unless a different age is required by a state or federal law.

"Contract" has the same meaning as "AAA-provider agreement," unless the context clearly indicates otherwise.

"Coordination" means the development and implementation of an integrated service delivery system to ensure appropriate care, service levels, and continuity for consumers. This includes integration with other federal, state, and local programs and services to promote synchronization of planning, policy development, priority setting, and evaluation of activities related to the objectives of the Older Americans Act without, to the extent possible, duplicating services and/or compromising the consumer's goals and objectives.

"Day" means a twenty-four-hour period beginning and ending at midnight.

"Dietary Guidelines for Americans" means the version of the dietary guidelines in effect on a day of service as published by the United States departments of agriculture and health and human services on <https://www.dietaryguidelines.gov/>.

"Dietitian" and "licensed dietitian" mean a person with a current, valid license to practice dietetics under section 4759.06 of the Revised Code.

"Electronic record" has the same meaning as in section 1306.01 of the Revised Code. For a health care record, "electronic record" has the same meaning as in section 3701.75 of the Revised Code.

"Electronic signature" has the same meaning as in section 1306.01 of the Revised Code. If attached to, or associated with, a health care record, "electronic signature" has the same meaning as in section 3701.75 of the Revised Code.

"Groceries" mean foods for a household to eat, such as breads and cereals; fruits and vegetables; meats, fish, and poultry; and dairy products.

"Grocery store" has the same meaning as "retail food establishment" in rule 3717-1-01 of the Administrative Code.

"Health care record" has the same meaning as in section 3701.75 of the Revised Code. Examples of a health care record are a plan of treatment or diet order received from a licensed healthcare professional.

"Home-delivered meals project" means a nutrition project that complies with rule 173-4-05.2 of the Administrative Code.

"Incident" means an event that is inconsistent with the routine care or routine provision of services to a consumer. An incident may involve a consumer, caregiver (to the extent it impacts a consumer), provider, provider's staff or facility, another facility, an AAA's staff, ODA's staff, or other administrative authorities. Examples of an incident are abuse, neglect, abandonment, an accident, or an unusual situation resulting in an injury to a person or damage to the person's property or equipment.

"Instrumental activities of daily living" (IADLs) means preparing meals, shopping for personal items, medication management, managing money, using the telephone, doing heavy housework, doing light housework, and the ability to get and use available transportation without assistance.

"Licensed healthcare professional" includes a physician with an "expedited license," as defined in section 4731.11 of the Revised Code; or a licensed audiologist, occupational therapist, occupational therapy assistant, physical therapist, physical therapy assistant, or speech-language pathologist from another state with "compact privilege," as defined in section 4753.17, 4755.14, or 4755.57 of the Revised Code. "Licensed healthcare professional" also includes an RN or LPN with a "multistate license" from another state with "multistate licensure privilege," as those terms are defined in section 4723.11 of the Revised Code.

"Licensed practical nurse" (LPN) has the same meaning as in divisions (E) and (F) of section 4723.01 of the Revised Code. "Licensed practical nurse" also includes a licensed practical nurse with a "multistate license" from another state with "multistate licensure privilege," as those terms are defined in section 4723.11 of the Revised Code.

"Nutrition project" means a congregate dining project, home-delivered meals project, or a congregate dining project based in restaurants and supermarkets.

"ODA" means "the Ohio department of aging."

"Older Americans Act" means 42 U.S.C. Chapter 35.

"Older Americans Act funds" means the federal funds awarded to ODA through Title III of the Older Americans Act (42 U.S.C. Chapter 35, Subchapter III) and any state or local funds used to match those federal funds, regardless of whether the local funds are public or private funds. For the purposes of this chapter and Chapter 173-4 of the Administrative Code, "Older Americans Act funds" does not mean funds for an ombudsman program.

"Older Americans Act nutrition program" means the program created under 42 U.S.C. 3030d-21 to 3030g-23 (2020).

"Older relative caregiver" has the same meaning as in 42 U.S.C. 3030s.

"Participant-directed provider " means a provider (e.g., relative, friend, neighbor, or other person) a consumer hired and directs to provide services to the consumer.

"PCA " means "personal care aide."

"Planning and service area" (PSA) means a multi-county region that ODA designates as a planning and service area under section 173.011 of the Revised Code and 45 C.F.R. 1321.13.

"Provider" means a person or entity entering into an AAA-provider agreement with an AAA to provide services to consumers. The three categories of providers are agency providers, self-employed providers, and participant-directed providers.

"Registered nurse" (RN) has the same meaning as in section 4723.01 of the Revised Code. "Registered nurse" also includes a registered nurse with a "multistate license" from another state with "multistate licensure privilege," as those terms are defined in section 4723.11 of the Revised Code.

"Restaurant" has the same meaning as "food service operation" in rule 3717-1-0 1 of the Administrative Code.

"RFP" means "request for proposal."

"Self-employed provider" means a provider who provides services to consumers and who does not hire, or contract with, other persons to provide those services.

"Shelf-stable meal" means a meal that is non-perishable, ready-to-eat, stored at room temperature, and eaten without heating.

"Unique identifier" means an item belonging to a specific consumer, caregiver, provider, aide, PCA, driver, or instructor that identifies only that consumer, caregiver, provider, aide, PCA, driver, or instructor. Examples of a unique identifier are a handwritten or electronic signature or initials, fingerprint, mark, stamp, password, barcode, or swipe card. A consumer, caregiver, provider, aide, PCA, driver or instructor offers their unique identifier as an attestation that a provider, or the provider's staff, completed an activity or unit of service or as an authorization for a plan or agreement.

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