

173-3-06.6

Transportation service.

(A) "Transportation service" means a service that transports a consumer from one place to another through the use of a provider's vehicle and driver. Examples of places to which the service may transport a consumer are a medical office, congregate nutrition program site, grocery store, senior center, or government office.

(B) Minimum requirements for a transportation service:

(1) In general:

- (a) Type of provider: Only a driver employed by an agency provider or a driver who is a self-employed provider may provide the service. A consumer-directed individual provider shall not provide the service.
- (b) Availability: An agency provider shall possess a back-up plan for providing the service when a driver or vehicle is unavailable. A self-employed provider shall possess a back-up plan for providing the service when he/she or his/her vehicle is unavailable.
- (c) To and from vehicle: As part of each service provided, the driver shall help the consumer to safely transfer between the pick-up point and the vehicle, to safely enter and exit the vehicle, and to safely transfer between the vehicle and the destination point.
- (d) Records: For each service provided, the driver shall document the consumer's name; service date; pick-up point and time of the pick up; destination point and time of the drop off; service units; driver's name; and driver's signature.

(2) Vehicle inspections:

- (a) The provider shall create a written plan for preventive maintenance and inspection of each vehicle and wheelchair lift used for this service which shall include the recommended preventive maintenance schedule of the vehicle or wheelchair lift and the:
 - (i) "Annual Vehicle Inspection" on form ODA0004 (<http://www.goldenbuckeye.com/providers/forms.html>): The provider shall only use a vehicle for the service if the inspection was conducted no more than twelve months beforehand and the answers to all questions on the form were "yes." Only a certified mechanic, the Ohio highway patrol safety inspection unit, or the Ohio medical transportation board may perform the inspection; and,
 - (ii) "Pre-Trip Vehicle Inspection" on form ODA0008 (<http://www.goldenbuckeye.com/providers/forms.html>): The

provider shall only use a vehicle if, before providing the first service of the day, the driver conducted the inspection and the answers to all questions required by the form were "yes."

(b) The provider shall deem that a vehicle that holds a current, valid license from the Ohio medical transportation board to operate as an ambulette is a vehicle that complies with paragraph (B)(2)(a) of this rule.

(c) If the vehicle has a wheelchair lift, the provider shall

(d) The provider shall maintain documentation on compliance with paragraph (B)(2)(a) of this rule.

(3) Driver qualifications:

(a) Before providing the first service, the driver shall:

(i) Hold a current, valid driver's license for at least two years, hold any driver's license endorsement that is necessary to operate the type of vehicle used for the service, and have fewer than six points issued under Chapter 4506. or 4507. of the Revised Code (or have points issued under statutes of the home state that are substantially equivalent to six points issued under Chapter 4506. or 4507. of the Revised Code if the driver is a resident of another state);

(ii) Obtain a signed statement from a licensed physician acting within the scope of the physician's practice that states that the driver has no medical or physical condition, including an incurable vision impairment, that may impair safe driving, passenger assistance, emergency treatment, or the health and welfare of a consumer or the general public;

(iii) Pass drug and alcohol tests. The drug tests check for the use or abuse of amphetamines, cannabinoids (THC), cocaine, opiates, and phencyclidine (PCP). The driver receives a passing score if the drug tests do not find the drugs in his/her blood, breath, or urine. The alcohol tests check blood-alcohol content. The driver receives a passing score if the alcohol tests do not find a blood-alcohol content in the driver's blood that is higher than Ohio's maximum blood-alcohol content. The driver shall obtain the drug and alcohol tests from a hospital or another entity that the Ohio department of health permits to conduct the tests;

(iv) Pass a training course in first aid and CPR offered by the American red cross, the American heart association, the national safety council, medic first aid international, American safety and health

institute, or an equivalent organization approved by ODA;

(v) Possess the ability to understand written and oral instructions;

(vi) Possess the ability to comply with the requirement to help the consumer to safely transfer between the pick-up point and the vehicle, to safely enter and exit the vehicle, and to safely transfer between the vehicle and the destination point, under paragraph (B)(1)(c) of this rule; and,

(vii) Possess the ability to comply with the documentation requirement and the "Regular Vehicle Inspection" requirement under paragraphs (B)(1)(d) and (B)(2)(b) of this rule.

(b) No later than six months after a driver provides his/her first service or no later than six months after the effective date of this rule, whichever occurs later, the driver shall:

(i) Complete a defensive-driving course sponsored or endorsed by the national safety council or the Ohio department of transportation. The driver shall also complete a defensive-driving course every three years thereafter; and,

(ii) Complete an introductory course approved by ODA on passenger assistance training that includes the following topics:

(a) Sensitivity to aging;

(b) Overview of diseases and functional factors commonly affecting older adults;

(c) Environmental considerations affecting consumers;

(d) Consumer assistance and transfer techniques;

(e) Management of a wheelchair, including the proper methods for securing a wheelchair;

(f) Inspection and operation of a wheelchair lift and other types of assistive equipment; and,

(g) Emergency procedures.

(c) Exceptions:

(i) Any driver for an urban or rural transit system is deemed to comply with paragraph (B)(3)(a) of this rule.

- (ii) Any driver who successfully passed the defensive-driving course required under paragraphs (B)(3)(b)(i) of this rule no more than three years before the effective date of this rule is deemed to comply that paragraph (B)(3)(b)(i) of this rule. (For example, a driver for an urban or rural transit system may have recently completed a defensive-driving course in order to qualify for his/her job. Therefore, he/she is not required to take another defensive-driving course before transporting a consumer under this rule. He/she is only required to complete a defensive driving course every three years after the date he/she most recently passed a defensive-driving course.)
- (iii) Any driver who successfully passed the introductory course required under paragraph (B)(3)(b)(ii) of this rule no more than three years before the effective date of this rule is deemed to comply with paragraph (B)(3)(b)(ii) of this rule. (For example, a driver for an urban or rural transit system may have recently completed the introductory course in order to qualify for his/her job. Therefore, he/she is not required to take another introductory course on transporting older persons and people with disabilities before transporting a consumer under this rule. He/she is only required to complete the refresher course every three years after the date he/she most recently passed the introductory course.)
- (d) The agency provider shall maintain documentation on the compliance of each driver (or the self-employed provider shall maintain documentation on his/her compliance) with the driver qualifications in paragraph (B)(3) of this rule.

(C) Unit of service:

- (1) A one-way trip constitutes one unit of transportation service.
- (2) The unit rate in a provider agreement shall reflect the provider's fully allocated costs, including administrative costs, training costs, and documentation costs.

Replaces: 173-3-02

Effective:

R.C. 119.032 review dates:

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 173.02; 173.392; Section 305 (a)(1)(C) of the Older Americans Act of 1965, 79 Stat. 210, 42 U.S.C. 3001, as amended in 2006; 45 C.F.R. 1321.11
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