

173-38-01

**Assisted living program (medicaid-funded component):
introduction and definitions**~~Introduction and definitions.~~

(A) Introduction: Chapter 173-38 of the Administrative Code regulates the medicaid-funded component of the assisted living program created under section ~~5111.89~~ 173.54 of the Revised Code. (See Chapter 173-51 of the Administrative Code for rules on the state-funded component of the assisted living program.)

(B) Definitions for Chapter 173-38 of the Administrative Code:

- (1) "Assisted living program" ("program") means the home and community-based medicaid waiver program created under section ~~5111.89~~ 173.54 of the Revised Code that provides consumers in the program with the assisted living service under rule 173-39-02.16 of the Administrative Code and, in some cases, the community transition service under rule 173-39-02.17 of the Administrative Code, if the consumers reside in a residential care facility and would otherwise receive services in a nursing facility if the waiver program was not available.
- (2) "Authorized representative" ~~has the same meaning as in rule 5160:1-1-55.1 of the Administrative Code~~ means a person, eighteen years of age or older, who is chosen by, and acts on behalf of, an individual who is applying for, or receiving, medical assistance. ~~In accordance with rule 5101:1-38-01.2 of the Administrative Code, the individual must provide a written statement naming the authorized representative and the duties that the named authorized representative may perform on the individual's behalf.~~
- (3) "CDJFS" means "county department of job and family services."
- (4) "Nursing facility" has the same meaning as in section ~~5111.20~~ 5165.01 of the Revised Code.
- (5) "ODA" means "the Ohio department of aging."
- (6) "ODA's designee" has the same meaning as "PASSPORT administrative agency" in section 173.42 of the Revised Code. The current PASSPORT administrative agencies are the area agencies on aging listed in rule 173-2-04 of the Administrative Code plus "Catholic Social Services of the Miami Valley."
- (7) ~~"ODJFS"~~ "ODM" means "the Ohio department of ~~job and family services~~ medicaid."

- (8) "Service plan" (aka, "care plan") means the written outline of the services that ODA's designee expects a provider to furnish to a consumer.

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Certification

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