

173-38-01

**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 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 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" means a person, eighteen years of age or older, acting on behalf of an individual who is applying for, or receiving, medical assistance. An authorized representative may be a family member, attorney, hospital social worker, or any other person the individual chooses to act on his or her behalf. 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.

~~(2)(3)~~ "CDJFS" means "county department of job and family services."

~~(3)(4)~~ "Nursing facility" has the same meaning as in section 5111.20 of the Revised Code.

~~(4)(5)~~ "ODA" means "the Ohio department of aging."

~~(5)(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."

~~(6)(7)~~ "ODJFS" means "the Ohio department of job and family services."

~~(7)(8)~~ "Service plan" (aka, "care plan") means the written outline of the services that are provided ODA's designee expects a provider to furnish to a

consumer.

Effective:

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Certification

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Date

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