

173-39-03.4

**ODA provider certification: applying to be certified in an additional regions-region or to certify from an additional business-sites site in the same region, or for confirmation that more designated resident units in an RCF qualify.**

~~Introduction: After ODA initially certifies a provider in a region, the provider may apply to become certified to provide the service for which it is already certified in an additional region or additional business site within the same region.~~

~~An assisted-living provider certified by ODA for one RCF shall obtain a new certification for each additional RCF pursuant to rule 173-39-03 of the Administrative Code. This rule would not apply.~~

(A) Introduction:

(1) This rule applies to the following scenarios:

- (a) A provider certified to provide a service in a region wants to be certified to provide the same service in another region.
- (b) A provider certified to provide a service in a region wants to be certified to provide the same service from an additional business site in the same region.
- (c) A certified assisted living provider wants confirmation that more designated resident units in its RCF qualify as resident units under paragraph (C)(2) (c) of rule 173-39-02.16 of the Administrative Code than ODA's designee previously confirmed.

(2) This rule does not apply to the following scenarios:

- (a) A certified assisted living provider wants to operate a separately-licensed RCF, because each certification applies to only one licensed RCF.
- (b) A certified assisted living provider wants to operate from an additional building and ODH allows the provider to operate out of the existing and new buildings under one RCF license.

~~(A) Application: The provider shall provide a complete application to become certified to provide the service for which it is already certified in an additional region or additional business site within the same region. Only complete applications shall be processed. If the provider does not complete the application within ninety days of the date the application is requested, the application shall expire.~~

(B) Application: A certified provider may apply for certification in an additional region or from an additional business site in the same region, or for confirmation that more designated resident units in its RCF qualify as resident units under paragraph (C)(2)(c) of rule 173-39-02.16 of the Administrative Code than ODA's designee previously confirmed. An incomplete application expires if the provider does not complete the application within ninety days.

~~(B)(C)~~ Pre-certification review: Review: ODA's designee shall visit the provider's business site to conduct an on-site pre-certification review to determine if the provider meets the requirements of this chapter to provide the service for which it is already certified in the additional region or from an additional business site within in the same region, or to confirm that more designated resident units in its RCF qualify as resident units under paragraph (C)(2)(c) of rule 173-39-02.16 of the Administrative Code than ODA's designee previously confirmed. For agency providers seeking certification in an additional region, this includes compliance with paragraph (C)(1)(a) of rule 173-39-02 of the Administrative Code. During a state of emergency declared by the governor, a federal public health emergency, or during another time if authorized by ODA, ODA's designee may conduct a desk review of the provider's business site in lieu of a visit an on-site review. ODA's designee may conduct a desk review of the provider's business site instead of an on-site review if the provider's business site is outside of the designee's region.

~~(E)(D)~~ Approved application: ODA and its designee shall follow the process under paragraph (E)(F) of rule 173-39-03 of the Administrative Code for an approved application for certification to provide the service for which it is already certified in an additional region or additional business site within the same region or confirmation of designated resident units under paragraph (C)(2)(c) of rule 173-39-02.16 of the Administrative Code.

~~(D)(E)~~ Denied application: ODA and its designee shall follow the process under paragraph (G)(H) of rule 173-39-03 of the Administrative Code for a denied application to become certified to provide the service for which it is already certified in an additional region or additional business site within the same region.

Effective: 7/1/2024

Five Year Review (FYR) Dates: 1/4/2024 and 06/29/2029

CERTIFIED ELECTRONICALLY

---

Certification

06/20/2024

---

Date

Promulgated Under: 119.03

Statutory Authority: 121.07, 173.01, 173.02, 173.391, 173.52, 173.522,  
173.54, 173.543

Rule Amplifies: 173.39, 173.391, 173.52, 173.522, 173.54, 173.543; 42  
C.F.R. 441.352

Prior Effective Dates: 03/31/2006, 08/30/2010, 03/17/2011, 07/01/2019,  
06/11/2020 (Emer.), 01/10/2021, 04/04/2022