

173-40-04

**Eligibility for PASSPORT loss of medicaid eligibility  
Loss-of-medicaid-eligibility home care status.**

- (A) Beginning on July 1, 1990, any applicant for the PASSPORT home and community-based services HCBS program who was not enrolled in a PASSPORT home care program at the time of the applicant's PASSPORT home and community-based services program application applicant applied for the PASSPORT HCBS program, and who is presumed by the PAA staff to be eligible for PASSPORT home and community-based services HCBS program, but who is subsequently denied enrollment in or loses disenrolled from the PASSPORT home and community-based services HCBS program eligibility, shall be transferred to loss-of-medicaid-eligibility loss-of-medicaid-eligibility status only when, in the judgement/judgment of the PAA, such a transfer is temporarily necessary to protect the health and safety of the consumer until alternative services can be arranged. No person on loss-of-medicaid-eligibility loss-of-medicaid-eligibility status may continue to receive PASSPORT home care services for more than ninety sixty days unless otherwise authorized by the PASSPORT site manager the person has appealed the action resulting in the denial or loss of medicaid eligibility status-, in which case, the PAA staff shall do the following:
- (1) Offer transition planning services to Assist the consumer in order to responsibly transfer the consumer to traditional community-based long-term care services; or, assist the consumer in nursing home placement; and,
  - (2) Notify the consumer of the last date that PASSPORT home care services will be provided.
- (B) Any consumer on PASSPORT loss of medicaid eligibility loss-of-medicaid-eligibility status shall receive services according to an approved plan of care.
- (C) Consumers denied or losing their PASSPORT home and community-based services HCBS program eligibility may appeal that action in accordance with Chapter 5101:3-31 of the Administrative Code. PASSPORT loss of medicaid eligibility Loss-of-medicaid-eligibility status is a nonwaiver-funded (i.e., "state-funded") PASSPORT home care program component available to temporarily protect the consumer, the PAA, and PASSPORT providers from medicaid financial eligibility outcomes which that may either produce dangerous absences of consumer care; or the denial of provider reimbursement when services have been provided in good faith. Because appeal rights are provided for all consumers denied enrollment in or losing disenrolled from the PASSPORT home and community-based services HCBS program eligibility, no right of appeal for termination of services shall be provided to consumers on loss-of-medicaid-eligibility loss-of-medicaid-eligibility status.

Effective:

R.C. 119.032 review dates: 10/16/2007

---

Certification

---

Date

Promulgated Under: 111.15  
Statutory Authority: 173.02, uncodified section 213.20 of Am. Sub. H. B. No. 119 (127th G. A.)  
Rule Amplifies: Uncodified section 213.20 of Am. Sub. H. B. No. 119 (127th G. A.)  
Prior Effective Dates: Eff 6-11-91 (Emer.); 9-13-31; 11-9-98; 4-17-03