

5101:2-25-07

**Title XX reimbursement dependent upon correct determination of recipient eligibility.**

(A) ~~This rule describes eligibility criteria which apply to consumers requesting services funded under Title XX of the Social Security Act. Child-day~~ Child care services provided under Title XX are excluded from the requirements contained in this rule and the county department of ~~humans~~ job and family services (CDHS) (CDJFS) shall follow ~~child-day~~ child care requirements contained in Chapter 5101:2-16 of the Administrative Code.

(B) Reimbursement under Title XX for expenditures for services delivered to individuals is contingent upon the following:

(1) Service is included in the ~~"Comprehensive Social Services Plan" (CSSP)~~ "Comprehensive Title XX Social Services Plan" (CTXXSSP).

(2) The individual who receives the service is a member of one of the eligibility categories to which the service is available in the county of residence. (Availability of services to eligibility categories is shown in the county data section of the ~~CSSP~~ CTXXSSP.)

(3) The individual receiving the service(s) was correctly determined to meet the eligibility factors which are applicable to the service(s) received by the individual and the individual's eligibility category.

(C) When the CDJFS provides Title XX social services for free or for a fee, it shall establish eligibility standards or a fee schedule based on income level guidelines. The CDJFS shall formalize these eligibility standards and fee schedules in a written document which the CDJFS shall make available at all times for public review.

~~(C)~~(D) Categories of eligibility under the Title XX program are as follows:

(1) Income eligible

(a) ~~Free services~~ Services for free, as determined by the ~~CDHS~~CDJFS.

(b) ~~Fee services~~ Services for a fee, as determined by the ~~CDHS~~CDJFS.

(i) Services for a fee is the amount charged by the CDJFS or provider agency under contract with the CDJFS.

(ii) The CDJFS may offer any service(s) identified in their current CTXXSSP in the "Service for a Fee" category with the exception of information and referral services, protective services for adults

and protective services for children.

(iii) Only those services to which fees are applicable are counted in determining the amount of the fee. Services that are available to consumers without regard to income would therefore not be counted

(2) Without ~~regards~~ regard to income - as determined by the ~~CDHS~~ CDJFS. No written application is required where service is deemed without ~~regards~~ regard to income. Information and referral may be provided "without regard to income".

~~(3) Individual receiving the service was correctly determined to meet the eligibility factors which are applicable to the service received by the individual and the individual's eligibility category.~~

~~(4) Eligibility determinations and redeterminations may be conducted by the agency providing the service; however, the CDHS may make eligibility determinations if it concludes that doing so would benefit clients or result in more efficient operation of the Title XX social services program in the county, or if it concludes that a provider is making unsatisfactory eligibility determinations. The CDHS will determine the frequency of redetermination, based upon the service plan.~~

(E) Eligibility determinations and redeterminations may be conducted by the agency providing the service; however the CDJFS may make eligibility determinations if it concludes that doing so would benefit consumers or result in more efficient operation of the Title XX social services program in the county. or if it concludes that a provider is making unsatisfactory eligibility determinations. The CDJFS will determine the frequency of redeterminations, based upon the service plan.

~~(D)~~ (F) Proper and improper ~~determinations~~ determination and redetermination of eligibility, under the Title XX program are as follows:

(1) Reimbursement is available for services provided during the period of proper eligibility determination and until the end of the month in which the individual is subsequently determined to be ineligible for services.

(2) A proper determination of eligibility is ~~one~~ based on a correct assessment of all necessary information available to the ~~CDHS~~ CDJFS or provider agency at the time of such determination. The determination must be made within thirty days of the date of the initial application or request for services, or prior to the due date of a redetermination.

(3) Written notification of approval or denial of an application or request for Title

XX social services, shall be made within fifteen calendar days of the date of determination. Paragraph (H) of this rule shall apply.

~~(3)~~(4) If a consumer is found to have been improperly determined eligible for services, reimbursement is not available for the services provided during the period of improper determination.

~~(4)~~(5) Reimbursement from ~~ODHS~~ the Ohio department of job and family services (ODJFS) to the ~~CDHS~~ CDJFS or from the ~~CDHS~~ CDJFS to the provider agency is not available prior to the date of the initial application or request for services.

~~(E)~~(G) Eligibility determination/redetermination requirements of purchase service providers, CDHS, and agencies under contract, except those who are under vendor agreement, for purchased services must The CDJFS or the agency under contract make eligibility determinations and redeterminations for Title XX social services shall :

(1) Accept consumer applications and requests for services.

(2) Complete a social service plan.

(3) Determine eligibility.

(4) Authorize requested services, if appropriate

(5) Fulfill all applicable responsibilities relative to state hearings in accordance with division level designation 5101:6 of the Administrative Code.

~~(F)~~(H) The Title XX contract must assure that the provider will explain to each consumer his rights and responsibilities as a recipient of services under Title XX and his right to a state hearing. Each consumer must be advised of his rights and obligations relative to receiving services within the limitations set forth in Chapter 5101:2-25 of the Administrative Code. The explanation of rights and obligations When Title XX eligibility determination and redetermination are conducted by the purchased service provider under contract, the CDJFS must assure that the provider agency will explain ~~includes~~ the following:

(1) Right to apply for services and have eligibility determined within thirty days of the receipt of the application.

(2) Right to receive any needed service listed in the county's profile as provided in

the consumer's eligibility category in the consumers' county provided all eligibility factors are met and sufficient funds are available to provide the services.

- (3) Right to a state hearing as described in division level designation 5101:6 of the Administrative Code.
- (4) Responsibility to report, within ~~five~~ ten days, any information that may affect eligibility.
- (5) Responsibility to provide documentation to substantiate eligibility.
- (6) Responsibility to cooperate with subsequent efforts to assess ~~the~~ any error rate ~~of~~ made in the eligibility process.
- (7) Right to be advised of the eligibility requirements for social services.
- (8) Right to the safeguarding of information reported by or about the consumer, to the extent permitted by law.

Effective: 01/01/2004

R.C. 119.032 review dates: 08/29/2003 and 10/01/2006

CERTIFIED ELECTRONICALLY

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Certification

11/13/2003

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Date

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