

## TO BE RESCINDED

5160-45-04                    **ODJFS-administered waiver program: provider enrollment process.**

- (A) Waiver provider applicants must complete the enrollment process set forth in this rule and receive approval from the Ohio department of job and family services (ODJFS) before providing services to an ODJFS-administered waiver consumer. Services provided before ODJFS issues such approval are not reimbursable.
- (B) All applicants must complete and submit a waiver provider application to ODJFS or the entity designated by ODJFS to process such applications. The waiver provider application shall be completed and submitted in accordance with the requirements set forth in Chapter 5101:3-1 of the Administrative Code. Each applicant must submit with its application a signed statement affirming that the applicant received and read all of the Administrative Code rules governing the ODJFS-administered waiver program.
- (C) Upon receipt of a waiver provider application, ODJFS shall verify all of the following:
- (1) The applicant meets the requirements set forth in Chapter 5101:3-45 of the Administrative Code, and depending upon the provider type for which the applicant is requesting authorization to furnish services, Chapter 5101:3-46, 5101:3-47 or 5101:3-50 of the Administrative Code.
  - (2) The application contains all of the documentation required on the applicant's specific medicaid provider agreement provider type addendum.
  - (3) The individual, agency and/or agency's primary officer, director or owner is not listed on:
    - (a) The U.S. department of health and human services' exclusionary participant list;
    - (b) The Ohio department of mental retardation and developmental disabilities' abuser registry; and
    - (c) Any additional federal or state exclusionary lists ODJFS may consider when determining provider eligibility.
  - (4) If the applicant is a medicare-certified home health agency, evidence that the applicant's certification status is current.

- (5) If the applicant is an otherwise-accredited agency, evidence that the applicant's accreditation status is current.
- (6) If the applicant is a non-agency personal care aide service provider, evidence that:
  - (a) The applicant:
    - (i) Meets the training requirements set forth in rule 5101:3-46-04, 5101:3-47-04 or 5101:3-50-04 of the Administrative Code, as appropriate, and
    - (ii) Has successfully completed a criminal records check as set forth in rule 5101:3-45-08 of the Administrative Code; and
  - (b) The consumer has requested that the applicant provide the service for which application is being made.
- (7) If the applicant is a non-agency nurse, evidence that the applicant:
  - (a) Possesses a current, valid and unrestricted license as a registered nurse (RN) or licensed practical nurse (LPN) with the Ohio board of nursing;
  - (b) Has no pending actions or sanctions against the non-agency nurse by the Ohio board of nursing; and
  - (c) Has successfully completed a criminal records check as set forth in rule 5101:3-45-08 of the Administrative Code.
- (8) If the applicant is a non-agency LPN, additional evidence that the applicant works at the direction of an RN who possesses a current, valid and unrestricted license with the Ohio board of nursing.
- (D) ODJFS shall review all documentation and make a determination regarding the applicant's eligibility for enrollment. If the application does not contain all of the documentation required by this rule, then ODJFS shall notify the applicant in writing of the missing documentation.
- (E) The applicant shall have thirty calendar days from the date of written notification to provide the missing documentation ODJFS identifies pursuant to paragraph (D) of

this rule. If the applicant does not submit the required documentation within the thirty calendar-day period, ODJFS shall terminate the application process.

- (F) ODJFS shall notify the applicant in writing of its approval or denial as a waiver provider. If ODJFS determines the applicant is ineligible to provide waiver services, ODJFS shall inform the applicant of his or her appeal rights in accordance with rule 5101:3-1-17.6 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 02/03/2016

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Certification

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Date

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