

5160-59-05

**OhioRISE home and community-based services waiver: covered services and providers.**

- (A) This rule establishes the services available under the Ohio resilience through integrated systems and excellence (OhioRISE) home and community-based services (HCBS) ~~1915(c)~~ waiver program (waiver) established in accordance with 1915(c) of the Social Security Act 42 U.S.C. 1396n (January 1, ~~2025~~~~2022~~), and the providers eligible to deliver those services to youth enrolled on the waiver.
- (B) Providers seeking to deliver services in the waiver program will meet the criteria in Chapter 5160-59 and ~~set forth in~~ rules 5160-44-02 and 5160-44-31 of the Administrative Code, as appropriate. Upon prior approval by the Ohio department of medicaid (ODM), providers Providers that have responsibility for developing the child and family-centered care plan for a youth ~~can~~ ~~cannot~~ provide other direct OhioRISE 1915(c) waiver services to ~~that~~the youth.
- (C) Prior to a qualified waiver provider delivering services to waiver recipients, the services will be documented on the youth's child and family-centered care plan as described in Chapter 5160-59 of the Administrative Code and approved by the OhioRISE plan. The child and family-centered care plan will be developed in accordance with person-centered practices as set forth in rule 5160-44-02 of the Administrative Code.
- (D) Waiver covered services are limited to the following and are subject to any reimbursement provisions in the Ohio Administrative Code rules cited therein:
- (1) Out-of-home respite as set forth in rule 5160-59-05.1 of the Administrative Code;
  - (2) Transitional services and supports as set forth in rule 5160-59-05.2 of the Administrative Code; and
  - (3) Secondary flex funds as set forth in rule 5160-59-05.3 of the Administrative Code. Secondary ~~secondary~~ flex funds service is subject to participant-direction through budget authority.
- (E) When the OhioRISE plan denies, reduces, terminates or suspends an OhioRISE waiver service, this constitutes an adverse benefit determination, and can be appealed in accordance with rule 5160-26-08.4 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 7/1/2027

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 5167.02, 5166.04  
Rule Amplifies: 5162.03, 5166.02, 5167.03  
Prior Effective Dates: 07/01/2022