



Department of
Aging

John Kasich, Governor
Stephanie M. Loucka, Director

PUBLIC HEARING NOTICE MISCELLANEOUS UPDATES (NON-CSIO)

On November 10, 2016, the Ohio Department of Aging (ODA) filed the following rule proposals with the Joint Committee for Agency Rule Review:

- 173-1-02 Public hearing notices for rule proposals.** The rule regulates ODA's public hearing notices for rule proposals. ODA proposes to amend the rule to align its terminology with *Appendix A: Terminology Background & Other Composition Standards*.¹
- 173-2-04 AAAs: currently-designated AAAs.** The rule identifies the names, addresses, and contact information (URL and toll-free number) of each entity ODA has currently designated to be an area agency on aging (AAA), which is an instrumentality of ODA. ODA proposes to amend the rule to remove the post office box from AAA8's address, because AAA8 no longer maintains the post office box.
- 173-3-01 Older Americans Act: introduction and definitions.** The rule introduces OAC Chapter 173-3 and defines terms used throughout the chapter. ODA proposes to amend the rule to add the following 2 punctuation marks: (1) a period to the end of the definition of "AAA-provider agreement" and (2) a missing comma into the definition of "consumer's signature."
- 173-38-01 Assisted living program (medicaid-funded component): introduction and definitions.** The rule introduces OAC Chapter 173-38 and defines terms used throughout the chapter. ODA proposes to amend the rule to (1) replace "OAC5160:1-1-55.1" with "OAC5160-1-33" to correspond to ODM's pending proposal to change rule numbers and (2) to revise the date of ODJFS's latest version of Form JFS07200.
- 173-40-01 PASSPORT program (state-funded component): introduction and definitions.** The rule introduces OAC Chapter 173-40 and defines terms used throughout the chapter. ODA proposes to amend the rule to (1) replace "OAC5160:1-1-55.1" with "OAC5160-1-33" to correspond to ODM's pending proposal to change rule numbers and (2) to revise the date of ODJFS's latest version of Form JFS07200.
- 173-40-02 PASSPORT program (state-funded component): individual eligibility requirements.** The rule lists the eligibility requirements for individuals seeking to enroll into the state-funded component of the PASSPORT Program. ODA proposes to amend the rule to (1) align terminology in the rule with *Appendix A: Terminology Background & Other Composition Standards*, (2) use new ODM rule numbers that replaced older ODJFS rule numbers, and (3) remove references to eligibility based upon losing Medicaid coverage because, in 2015, Am. Sub. H. B. No. 64 (131st G. A.) deleted eligibility based upon loss of Medicaid from ORC§173.522.

¹ ODA attached a copy of *Appendix A: Terminology Background & Other Composition Standards* to the rule summary and fiscal analysis (RSFA) for each rule in which ODA proposes aligning terminology with the appendix.

- 173-40-03 PASSPORT program (state-funded component): individual enrollment, disenrollment, and other actions.** The rule determines the process for enrolling, disenrolling, and other actions related to enrolling or disenrolling into the state-funded component of the PASSPORT Program. ODA proposes to amend the rule to (1) align terminology in the rule with *Appendix A: Terminology Background & Other Composition Standards*, (2) update the ODA's address in the rule, and (3) remove references to eligibility based upon losing Medicaid coverage because, in 2015, Am. Sub. H. B. No. 64 (131st G. A.) deleted eligibility based upon loss of Medicaid from ORC§173.522.
- 173-40-05 PASSPORT program (state-funded component): covered services.** The rule references an ODM rule for the Medicaid-funded component of the PASSPORT Program and declares any service covered under the Medicaid-funded component is also covered under the state-funded component if authorized by the individual's service plan. In doing so, ODA proposes using ODM's revised rule number in the rule. ODA also proposes amending the rule to align terminology with *Appendix A: Terminology Background & Other Composition Standards*.
- 173-40-06 PASSPORT program (state-funded component): individual's choices and responsibilities.** The rule declares every individual enrolled in the state-funded component of the PASSPORT Program may choose which providers provide goods and services to him or her from a list of willing and qualified providers. The rule also requires individuals to meet requirements in order to direct (*i.e.*, employ) a participant-directed provider. The rule is a mirror of rule OAC173-42-06 for the Medicaid-funded component of the PASSPORT Program. ODA proposes to rescind this rule and replace it with a new rule. The new rule will only say, "An individual enrolled in the state-funded component of the PASSPORT program has the same choices and responsibilities as rule 173-42-06 of the Administrative Code gives to an individual enrolled in the Medicaid-funded component of the PASSPORT program."
- 173-42-01 PASSPORT program (medicaid-funded component): introduction and definitions.** The rule introduces OAC Chapter 173-42 and defines terms used throughout the chapter. ODA proposes to amend the rule to (1) replace "OAC5160:1-1-55.1" with "OAC5160-1-33" to correspond to ODM's pending proposal to change rule numbers and (2) to revise the date of ODJFS's latest version of Form JFS07200.
- 173-51-01 Assisted living program (state-funded component): introduction and definitions.** The rule introduces OAC Chapter 173-51s and defines terms used throughout the chapter. ODA proposes to amend the rule to (1) replace "OAC5160:1-1-55.1" with "OAC5160-1-33" to correspond to ODM's pending proposal to change rule numbers and (2) to revise the date of ODJFS's latest version of Form JFS07200.

ODA will conduct a public hearing on the proposed amendments at the following place and time:

**Ohio Department of Aging
246 N. High St., First Floor; Room 1149**

December 12, 2016 at 10:00AM

Any person is welcome to participate in the public hearing.