

**To:** Providers  
Individuals and Families Receiving Services  
County Boards of Developmental Disabilities  
Councils of Governments

**From:** Patrick Stephan, Deputy Director  
Medicaid Development and Administration

**Subject:** Implementation of New Provider Certification Rule, Effective October 1, 2009

The Ohio Department of MRDD is moving forward to implement new administrative rule 5123:2-2-01 (*Provider Certification*). The new rule will become effective on **October 1, 2009**. A copy of the rule is available at the Department's website (<http://mrdd.ohio.gov/rules/development.htm>).

The rule is responsive to several MRDD Futures Committee recommendations (available at <http://mrdd.ohio.gov/futures/docs/MRDDFuturesFinalReport.pdf>) and represents a shared commitment throughout the developmental disabilities community to create a better service delivery system. The rule implements, for the first time, time-limited certification and application fees for providers of Supported Living and Home and Community-Based Services (HCBS) waiver services. The following information is intended to help navigate these significant system changes.

### **Time-Limited Certification**

Historically, provider certification issued by the Department was effective indefinitely. This resulted in a large pool of certified providers, many of whom have never provided services. This is not in the best interest of individuals and families receiving services as it makes locating a qualified and willing provider very cumbersome.

Beginning October 1, 2009, all initial provider certifications issued by the Department will be for a term of one year; all renewal provider certifications will be for a term of three years. To avoid having a lapse in certification, certified providers will have to submit a complete application to renew certification prior to the expiration date of their existing certification.

The Department will notify currently certified providers by U.S. mail, to let each provider know when the provider's certification will expire and what the provider needs to do if he/she is interested in renewing the certification.

## Application Fees

The new rule implements application fees for initial and renewal certification. The fee structure has three tiers: independent providers, small agency providers (defined as those who serve or plan to serve 50 or fewer individuals), and large agency providers (defined as those who serve or plan to serve 51 or more individuals). Agencies applying for provider certification will self-report their status as a small agency or a large agency on their application form.

	Initial (1 year)	Renewal (3 years)
Independent	\$ 50	\$ 100
Small Agency (serves 50 or fewer individuals)	\$ 300	\$ 800
Large Agency (serves 51 or more individuals)	\$ 700	\$ 1,600

Application fees must be paid in the form of a cashier's check, corporate check, or money order. Payment in full is required at the time of application. Applications submitted without a check or money order will be returned to the applicant. Application fees are non-refundable; therefore, an applicant who is uncertain about which fee applies should contact the Provider Certification Unit at [provider.certification@dmr.state.oh.us](mailto:provider.certification@dmr.state.oh.us) before submitting the application.

Currently certified providers will not be required to pay an application fee until they apply to renew their certification.

## Provider Qualifications

In addition to establishing time-limited certification and application fees, the new rule sets forth core qualifications which apply to all providers of direct services. The rule requires independent providers, chief executive officers of agency providers, and direct services employees of agency providers to:

- Be at least 18 years of age
- Hold a high school diploma or GED (Note: Currently certified independent providers and currently engaged direct services employees of certified agency providers are exempted from this requirement.)
- Have a Social Security number
- Have valid identification
- Have a Bureau of Criminal Identification and Investigation (BCII) report
- Not be on the Abuser Registry
- Not be on the Nurse Aide Registry indicating the Ohio Department of Health has made a determination of abuse, neglect, or misappropriation of property of a resident of a long-term care facility or residential care facility
- Be able to read, write, and understand English at a level sufficient to comply with rules governing the services provided
- Be able to effectively communicate with the individual served

Additionally, the new rule requires most independent providers and direct services employees of agency providers to:

- Hold valid First Aid certification
- Hold valid CPR certification
- Have completed eight hours of training in:
  - Serving individuals with developmental disabilities
  - Individual rights
  - Providing HCBS waiver services
  - Requirements of rule 5123:2-17-02 (*Incidents Adversely Affecting Health and Safety*)
  - Universal precautions for infection control

Members of a Family Consortium and providers of some HCBS waiver services (i.e., Adaptive and Assistive Equipment, Environmental Accessibility Adaptations, Home Delivered Meals, Informal Respite for the provider's own family member, Interpreter, Nutrition, Personal Emergency Response Systems, Social Work, and Specialized Medical Equipment and Supplies) are exempted from meeting these additional provider qualifications due to their role or the nature of the services they provide.

All providers must continue to meet any service-specific requirements for the services they provide.

### **Currently Certified Providers**

Persons and agencies currently holding Department-issued provider certification do not need to take any action right now, other than to verify that the Department has the provider's current mailing address. To update your mailing address, contact the Provider Certification Unit at [provider.certification@dmr.state.oh.us](mailto:provider.certification@dmr.state.oh.us). Over time, the Department will send each certified provider a notice by U.S. mail, letting the provider know when the provider's certification will expire. The department will send notices to providers in phases, beginning with providers who have never submitted claims for reimbursement for providing services. Providers will be given at least 60 days notice prior to their renewal date. Currently certified providers that have billed for services will have at least one year from the date the new rule goes into effect before they will be required to renew their certification.

### **Questions**

Please direct questions to the Provider Certification Unit at [provider.certification@dmr.state.oh.us](mailto:provider.certification@dmr.state.oh.us).