

(A) Purpose

The purpose of this rule is to specify the service definition for environmental accessibility adaptations and to set forth the certification standards required under section ~~5123.045~~ 5123.16 of the Revised Code for providers of environmental accessibility adaptations to individuals enrolled in the HCBS level one waiver administered by the department.

(B) Definition

"Environmental accessibility adaptations" means those physical adaptations to the home, required by the individual's ISP, which are necessary to ensure the health, welfare and safety of the individual, or which enable the individual to function with greater independence in the home, and without which, the individual would require institutionalization. Such adaptations may include the installation of ramps and grab-bars, widening of doorways, modification of bathroom facilities, or installation of specialized electric and plumbing systems that are necessary to accommodate the medical equipment and supplies that are necessary for the welfare of the individual. Excluded are those adaptations or improvements to the home that are of general utility, and are not of direct medical or remedial benefit to the individual, such as carpeting, roof repair, central air conditioning, etc. Adaptations that add to the total square footage of the home are excluded from this benefit. All services shall be provided in accordance with applicable state or local building codes. ~~The benefit package in the waiver includes a limitation of two thousand dollars over three years for environmental accessibility adaptations. An individual's three year expenditure for environmental accessibility adaptations may exceed two thousand dollars, subject to prior authorization during the development of the initial ISP, as part of the ISP review process or at a time when needs change and are subsequently documented in an ISP, consistent with the preferences of the individual or family. Through the prior authorization process, the additional services shall be approved if the benefit limitation for this service, personal emergency response systems, and specialized medical equipment and supplies combined ~~do~~ shall not exceed six thousand dollars over ~~the~~ a three-year period of the waiver and unless an assessment contraindicates the need for the service.~~

(C) Standards and requirements for initial certification of individual providers

An applicant for individual provider certification for environmental accessibility adaptations shall meet all the following requirements in order to ensure the health and welfare of individuals receiving environmental accessibility adaptations.

- (1) The applicant shall be at least eighteen years of age.

(2) The applicant shall submit an application in accordance with rule ~~5123:2-8-02~~ 5123:2-9-09 of the Administrative Code.

(3) Experience

The applicant shall submit to the department documentation verifying experience in providing environmental accessibility adaptations.

(4) Demonstration of ability to meet state and local regulations

The applicant shall provide to the department written assurance that the applicant will meet all applicable state and local regulations that apply to the operation of the applicant's business or trade.

(5) ISP compliance

The applicant shall provide to the department written assurance that the applicant shall implement environmental accessibility adaptations as specified in the ISP.

(6) Provider eligibility

The applicant shall provide to the department a written assurance that the applicant shall not provide environmental accessibility adaptations to his/her minor child (under age eighteen) or to his/her spouse.

(D) Standards and requirements for continuing certification of individual providers

After being certified in accordance with paragraph (C) of this rule, all individual providers of environmental accessibility adaptations shall meet all of the following requirements in order to ensure the health and welfare of individuals receiving environmental accessibility adaptations.

(1) Experience

The individual provider shall maintain documentation verifying experience in providing environmental accessibility adaptations and shall provide such documentation upon request by ODJFS, the department, or the ~~LMAA~~ county board.

(2) Demonstration of ability to meet state and local regulations

The individual provider shall maintain documentation of the provider's

compliance with state and local regulations that apply to the operation of the individual provider's business or trade and shall present such documentation upon request by ODJFS, the department, or the ~~LMAA~~ the county board.

(3) ISP compliance

The individual provider shall implement environmental accessibility adaptations as specified in the ISP.

(4) Provider eligibility

The individual provider shall not provide environmental accessibility adaptations to his/her minor child (under age eighteen) or to his/her spouse.

(5) Evidence of department certification

The individual provider shall maintain documentation from the department of the individual provider's certification under this rule.

(E) Standards and requirements for initial certification of agency providers

An applicant for agency provider certification for environmental accessibility adaptations shall meet all of the following requirements in order to ensure the health and welfare of individuals receiving environmental accessibility adaptations.

(1) The applicant must submit an application in accordance with rule ~~5123:2-8-02~~ 5123:2-9-09 of the Administrative Code.

(2) Experience

The applicant shall submit to the department documentation verifying experience in providing environmental accessibility adaptations.

(3) Demonstration of ability to meet state and local regulations

The applicant shall provide to the department written assurance of the applicant's compliance with all state and local regulations that apply to the operation of the applicant's business or trade.

(4) ISP compliance

The applicant shall provide to the department written assurance that the applicant shall implement environmental accessibility adaptations as

specified in the ISP.

(5) Provider eligibility

The applicant shall provide to the department written assurance that neither the applicant nor any employee of the applicant shall provide environmental accessibility adaptations to his/her minor child (under age eighteen) or to his/her spouse.

(F) Standards and requirements for continuing certification of agency providers

After being certified in accordance with paragraph (E) of this rule, all agency providers of environmental accessibility adaptations shall meet all of the following requirements in order to ensure the health and welfare of the individuals receiving environmental accessibility adaptations.

(1) Experience

The agency provider shall maintain written documentation of the agency provider's experience in providing environmental accessibility adaptations and shall present such documentation upon request by ODJFS, the department, or the ~~LMAA~~ county board.

(2) Demonstration of ability to meet state and local regulations

The agency provider shall maintain written documentation of the agency provider's compliance with state and local regulations that apply to the operation of its business or trade and shall present such documentation upon request by ODJFS, the department, or the ~~LMAA~~ county board.

(3) ISP compliance

The agency provider shall implement environmental accessibility adaptations as specified in the ISP.

(4) Provider eligibility

Neither the agency provider nor any employee of the agency provider shall provide environmental accessibility adaptations to his/her minor child (under age eighteen) or to his/her spouse.

(5) Evidence of department certification

The agency provider shall maintain documentation from the department of the agency provider's certification under this rule.

(G) Request for information (RFI) process

- (1) The county board, as the ~~LMAA~~ county board, shall use procedures for the RFI process that are established by the department to develop an initial list and subsequently add to the list of individual providers and agency providers of environmental accessibility adaptations. The county board shall repeat the RFI process no less frequently than once every three years. Providers who respond to the initial RFI in accordance with the established procedures will be added to the statewide list of providers.
- (2) After the statewide list of providers is established, the department will add providers of environmental accessibility adaptations to the statewide list of providers as the department certifies new individual providers and agency providers.

(H) Subcontractors

Individual providers shall not subcontract the provision of environmental accessibility adaptations. Agency providers may subcontract the provision of environmental accessibility adaptations in accordance with the requirements of this paragraph.

- (1) The agency provider shall be held responsible for the performance of the subcontractor and shall assure that the services are provided in accordance with the ISP.
- (2) The agency provider shall give the county board notice of all subcontracts for environmental accessibility adaptations.
- (3) The agency provider shall enter into a written contract with the subcontractor.

(I) Selection of provider(s) by individuals

Individuals shall select providers of environmental accessibility adaptations from the statewide list of certified individual providers and agency providers.

(J) Denial, suspension, or revocation

- (1) Failure to comply with the standards set forth in this rule for initial certification of providers may result in denial of certification by the department in accordance with rule 5123:2-9-09 of the Administrative Code.
- (2) After being certified in accordance with this rule, providers shall comply with the continuing certification standards set forth in this rule. Providers shall be subject to monitoring and compliance reviews conducted by the ~~LMAA~~ county board and/or the department as set forth in rule ~~5123:2-8-18~~ 5123:2-9-08 of the Administrative Code. Failure to comply with the standards set forth in this rule for continuing certification of providers may result in corrective action by the department up to and including suspension or revocation of certification as set forth in rule ~~5123:2-8-18~~ 5123:2-9-08 of the Administrative Code.
- (3) When denying, suspending, or revoking certification under this rule, the department shall comply with the notice and hearing requirements of Chapter 119. of the Revised Code.

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Certification

Date

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