

Level one waiver - Specialized medical equipment and supplies.**(A) Purpose**

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

(B) Definition

"Specialized medical equipment and supplies" means those specialized medical equipment and supplies that include devices, controls, or appliances, specified in the individual's ISP, which enable individuals to increase their abilities to perform activities of daily living, or to perceive, control, or communicate with the environment in which they live.

This service also includes items necessary for life support, ancillary supplies and equipment necessary to the proper functioning of such items, and durable and non-durable medical equipment not available under the medicaid state plan. Items reimbursed with waiver funds shall be in addition to any medical equipment and supplies furnished under the state plan and shall exclude those items that are not of direct medical or remedial benefit to the individual. All items shall meet applicable standards of manufacture, design, and installation. The benefit limitation for this service, personal emergency response systems, and environmental accessibility adaptations combined shall not exceed six thousand dollars ~~package in the level one waiver includes a limitation of two thousand dollars over the a three-year period of the waiver for specialized medical equipment and supplies.~~

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

The applicant for individual provider certification for specialized medical equipment and supplies shall meet all of the following requirements in order to ensure the health and welfare of individuals receiving specialized medical equipment and supplies.

- (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 documentation verifying experience in providing the services/products.

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

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

(5) Assurance for ISP compliance

The applicant shall provide to the department written assurance that the applicant shall implement specialized medical equipment and supplies as specified in the ISP.

(6) Assurance for provider eligibility

The applicant shall provide to the department written assurance that the applicant shall not provide specialized medical equipment and supplies 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 specialized medical equipment and supplies shall meet all of the following requirements in order to ensure the health and welfare of individuals receiving specialized medical equipment and supplies.

(1) Experience

The individual provider shall maintain written documentation of his/her experience in providing services/products 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 individual provider shall maintain written documentation of his/her compliance with all state and local regulations that apply to the operation of his/her business or trade and shall present such documentation upon request by ODJFS, the department, or the LMAA county board.

(3) ISP compliance

The individual provider shall implement specialized medical equipment and supplies as specified in the ISP.

(4) Provider eligibility

The individual provider shall not provide specialized medical equipment and supplies 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

The applicant for agency provider certification for specialized medical equipment and supplies shall meet all of the following requirements in order to ensure the health and welfare of individuals receiving specialized medical equipment and supplies.

(1) The applicant shall 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 the applicant's experience in providing the services/products.

(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 specialized medical equipment and supplies as specified in the ISP.

(5) Assurance for provider eligibility

The applicant shall provide to the department written assurance that neither

the applicant nor any employee of the applicant shall provide specialized medical equipment and supplies 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 specialized medical equipment and supplies shall meet all of the following requirements in order to ensure the health and welfare of individuals receiving specialized medical equipment and supplies.

(1) Experience

The agency provider shall maintain written documentation of the agency provider's experience in providing these services/products 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 its 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 specialized medical equipment and supplies as specified in the ISP.

(4) Provider eligibility

Neither the agency provider nor any employee of the agency provider shall provide specialized medical equipment and supplies 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,~~ shall use procedures for the RFI that are established by the department to develop an initial list and subsequently add to the list of individual providers and agency providers of specialized medical equipment and supplies. The county board shall repeat the RFI process no less frequently than once every three years. Providers who respond to the initial RFI process in accordance with 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 specialized medical equipment and supplies 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 specialized medical equipment and supplies. Agency providers may subcontract the provision of specialized medical equipment and supplies.

- (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 specialized medical equipment and supplies.
- (3) The agency provider shall enter into a written contract with the subcontractor.

(I) Selection of provider(s) by the individual

An individual shall select a provider(s) of specialized medical equipment and supplies 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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