

(A) Purpose

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

(B) Definition

"Personal emergency response systems (PERS)" means an electronic device, which enables certain individuals at high risk of institutionalization to secure help in an emergency. The individual may also wear a portable "help" button to allow for mobility. The system is connected to the individual's phone and programmed to signal a response center once a "help" button is activated. PERS services are limited to those individuals who live alone, or who are alone for significant parts of the day, and have no regular caregiver for extended periods of time, and who would otherwise require extensive routine supervision. ~~The benefit package in the level one waiver includes a limitation of two thousand dollars~~ limitation for this service, environmental accessibility adaptations, and specialized medical equipment and supplies combined shall not exceed six thousand dollars over the a three-year period of the waiver for PERS.

(C) Individual providers

No individual provider shall be certified to provide PERS.

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

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

(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 these products/services.

(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) Assurance for ISP compliance

The applicant shall provide to the department written assurance that the applicant shall implement PERS 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 PERS to his/her minor child (under age eighteen) or to his/her spouse.

(6) Assurance for response center coverage

The applicant shall provide to the department written assurance of the applicant's ability to provide response center coverage twenty-four hours per day and seven days per week.

(7) Assurance for operation of equipment

The applicant shall provide to the department written assurance that its equipment is in operating order, that the applicant conducts preventative maintenance checks to ensure the operational integrity of the equipment, and that equipment is tested at least quarterly.

(8) Assurance for emergency personnel notification

The applicant shall provide to the department written assurance of the applicant's capacity to notify, by electronic means, emergency personnel such as police, fire, ambulance, and psychiatric crisis response entities.

(9) Assurance for training individuals

The applicant shall provide to the department written assurance of the applicant's ability to train individuals to utilize their PERS.

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

After being certified in accordance with paragraph (D) of this rule, all agency providers of PERS shall meet all of the following requirements in order to ensure

the health and welfare of individuals receiving PERS.

(1) Experience

The agency provider shall maintain written documentation of the agency provider's experience in providing these products/services and shall present such documentation upon request to 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 to ODJFS, the department, or the ~~LMAA~~ county board.

(3) ISP compliance

The agency provider shall implement PERS as specified in the ISP.

(4) Provider eligibility

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

(5) Response center coverage

The agency provider shall document the provider's provision of response center coverage twenty-four hours per day and seven days per week and shall present such documentation upon request by ODJFS, the department, or the ~~LMAA~~ county board.

(6) Preventative maintenance checks on equipment

The agency provider shall document the provider's preventative maintenance checks for all equipment and shall present such documentation upon request by ODJFS, the department, or the ~~LMAA~~ county board.

(7) Testing of equipment

The agency provider shall document the provider's quarterly tests of the provider's equipment and shall present such documentation upon request by

ODJFS, the department, or the ~~LMAA~~ county board.

(8) Emergency personnel notification

The agency provider shall document the provider's notification by electronic means to emergency personnel such as police, fire, ambulance, and psychiatric crisis response entities and shall present such documentation upon request by ODJFS, the department, or the ~~LMAA~~ county board.

(9) Training of individuals using PERS

The agency provider shall document training provided to individuals using PERS and shall present such documentation upon request by ODJFS, the department, or the ~~LMAA~~ county board.

(10) Evidence of department certification

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

(F) Request for information (RFI) process

(1) The county board, ~~as the LMAA~~, 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 agency providers of PERS. 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 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 PERS to the statewide list of providers as the department certifies new agency providers.

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

An individual shall select a provider of PERS from the statewide list of certified agency providers.

(H) Subcontractors

Agency providers may subcontract the provision of PERS 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 PERS.
- (3) The agency provider shall enter into a written contract with the subcontractor.

(I) 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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