

5123:2-9-58

Home and community-based services waivers - supplemental transportation under the transitions developmental disabilities waiver.

(A) Purpose

The purpose of this rule is to define supplemental transportation under the transitions developmental disabilities waiver and set forth provider qualifications, requirements for service delivery and documentation of services, and payment standards for the service.

(B) Definitions

- (1) "Agency provider" means an entity that employs persons for the purpose of providing services for which the entity must be approved by the Ohio ~~office of medical assistance~~ department of medicaid.
- (2) "County board" means a county board of developmental disabilities.
- (3) "Department" means the Ohio department of developmental disabilities.
- (4) "Independent provider" means a non-agency, self-employed person approved by the Ohio ~~office of medical assistance~~ department of medicaid to provide services who does not employ, either directly or through contract, anyone else to provide the services.
- (5) "Individual" means a person with a developmental disability or for the purposes of giving, refusing to give, or withdrawing consent for services, his or her guardian in accordance with section 5126.043 of the Revised Code or other person authorized to give consent.
- (6) "Individual service plan" means the written description of services, supports, and activities to be provided to an individual.
- (7) "Service and support administrator" means a person, regardless of title, employed by or under contract with a county board to perform the functions of service and support administration and who holds the appropriate certification in accordance with rule 5123:2-5-02 of the Administrative Code.
- (8) "Service documentation" means all records and information on one or more documents, including documents that may be created or maintained in electronic software programs, created and maintained contemporaneously with the delivery of services, and kept in a manner as to fully disclose the

nature and extent of services delivered that shall include the items delineated in paragraph (E) of this rule to validate payment for medicaid services.

- (9) "Supplemental transportation" means transportation services that are not available through any other resources that enable an individual to access transitions developmental disabilities waiver services and other community resources specified in the individual service plan. Supplemental transportation includes, but is not limited to, assistance in transferring an individual from the point of pick-up to the vehicle and from the vehicle to the destination point.

(C) Provider qualifications

- (1) Supplemental transportation shall be provided by an independent provider or an agency provider that meets the requirements of this rule and that has a medicaid provider agreement with the Ohio office of medical assistance department of medicaid.
- (2) Supplemental transportation shall not be provided by a county board or a regional council of governments formed under section 5126.13 of the Revised Code by two or more county boards.
- (3) An independent provider of supplemental transportation shall:
- (a) Hold a valid driver's license as specified by Ohio law and have no more than five points on his or her driving record. A person having six or more points on his or her driving record is prohibited from providing supplemental transportation.
 - (b) Immediately notify the department, in writing, if he or she accumulates six or more points on his or her driving record or if his or her driver's license is suspended or revoked.
 - (c) Have valid collision and liability insurance as specified by Ohio law for each vehicle used in the provision of supplemental transportation.
 - (d) Obtain and exhibit valid evidence of a motor vehicle inspection from the Ohio state highway patrol for each vehicle used in the provision of supplemental transportation. At a frequency of at least once every twelve months, ensure that the vehicle used for supplemental transportation is inspected by the Ohio state highway patrol or a certified mechanic and determined to be in good working condition.

- (e) Hold valid "American Red Cross" or equivalent certification in first aid which includes in-person training by a certified first aid instructor and a successful demonstration of what was learned in the course.

(4) An agency provider of supplemental transportation shall:

- (a) Maintain a current list of drivers.
- (b) Maintain a copy of the valid driver's license for each driver.
- (c) Obtain, for each driver, a driving record prepared by the bureau of motor vehicles prior to initial employment as a driver and at least once every three years thereafter. A person having six or more points on his or her driving record is prohibited from providing supplemental transportation.
- (d) Require each driver to immediately notify the agency provider, in writing, if he or she accumulates six or more points on his or her driving record or if his or her driver's license is suspended or revoked.
- (e) Have collision and liability insurance as specified by Ohio law for each vehicle used in the provision of supplemental transportation.
- (f) ~~Obtain and exhibit valid evidence of a motor vehicle inspection from the Ohio state highway patrol for each vehicle used in the provision of supplemental transportation.~~ At a frequency of at least once every twelve months, ensure that each vehicle used for supplemental transportation is inspected by the Ohio state highway patrol or a certified mechanic and determined to be in good working condition.
- (g) Ensure that each driver holds valid "American Red Cross" or equivalent certification in first aid which includes in-person training by a certified first aid instructor and a successful demonstration of what was learned in the course.

(D) Requirements for service delivery

- (1) Supplemental transportation shall be provided pursuant to an individual service plan that conforms to the requirements of paragraph (F) of rule 5123:2-9-50 of the Administrative Code.

- (2) A provider of supplemental transportation shall be identified and have specified in the individual service plan, the number of miles for which the provider is authorized to furnish supplemental transportation to the individual.
- (3) Supplemental transportation shall be provided in accordance with applicable rules in ~~Chapters 5101:3-45~~ and Chapter 5123:2-9 of the Administrative Code.

(E) Documentation of services

Service documentation for supplemental transportation shall include each of the following to validate payment for medicaid services:

- (1) A log identifying the individual transported;
- (2) The date of service;
- (3) Pick-up point;
- (4) Destination point;
- (5) Mileage for each trip; and
- (6) The dated signature of the individual receiving supplemental transportation verifying the service delivery upon completion of service. The individual's signature of choice shall be documented in the individual service plan and may include, but is not limited to, a handwritten signature, initials, a stamp or mark, or an electronic signature.

(F) Payment standards

- (1) The billing unit, service code, and payment rate for supplemental transportation are contained in the appendix to this rule.
- (2) Providers shall submit claims for payment for supplemental transportation to the Ohio ~~office of medical assistance~~ department of medicaid in accordance with rule ~~5101:3-41-22~~ 5160-41-22 of the Administrative Code.

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