

**\*\*\*DRAFT - NOT FOR FILING\*\*\***

**173-4-01 Introduction and definitions.**

(A) Introduction to Chapter 173-4 of the Administrative Code:

- (1) Chapter 173-4 of the Administrative Code governs meals and nutrition services that are funded in part or in full with Older Americans Act funds.
- (2) If a provider furnishes a meals or nutrition services to consumers through an Older Americans Act program and also furnishes services to consumers through an ODA-administered medicaid waiver program, the provider shall also comply with the provider-certification requirements of Chapter 173-39 of the Administrative Code.

**Comment [ODA1]:** Throughout the chapter, ODA proposes to use "meals" in many places where the current rules use "nutrition." This is part of the person-centered care transformation of the rules, which involves a reorientation from nutrition to the person who is dining.

(B) Definitions for Chapter 173-4 of the Administrative Code:

- (1) The definitions in rule 173-3-01 of the Administrative Code apply to Chapter 173-4 of the Administrative Code.
- (2) "Alternative meal program" means a provider's package of services that includes meals furnished in a restaurant or supermarket setting according to rule 173-4-04.2 of the Administrative Code and nutrition services.
- (3) "Congregate meal program" means a provider's package of services that includes meals furnished in a congregate setting according to rule 173-4-04 of the Administrative Code and nutrition services.
- (4) "Home-delivered meal program" means a provider's package of services that includes meals furnished in a consumer's home according to rule 173-4-04.1 of the Administrative Code and nutrition services.
- (5) "Licensed dietitian" means a person who holds a valid license to practice dietetics under section 4759.06 of the Revised Code.
- (6) "Meal" means a prepared meal, which may not comprise a full nutritional regimen, that a provider furnishes to a consumer through a congregate meal program, a home-delivered meal program, or an alternative meal program (restaurants and supermarkets).
- (7) "Nutrition services" means the following services:
  - (a) Nutrition counseling furnished according to rule 173-4-06 of the Administrative Code.
  - (b) Nutrition education furnished according to rule 173-4-07 of the Administrative Code.
  - (c) Nutrition health screening furnished according to rule 173-4-08 of the Administrative Code.
  - (d) Supermarket shopping assistance furnished according to rule 173-4-09 of the Administrative Code.
- (8) "Restaurant" has the same meaning as "food service operation" in rule 3717-1-01 of the Administrative Code.
- (9) "Shelf-stable meal" means a meal that is non-perishable, ready-to-eat, stored at room temperature, and eaten without heating.
- (10) "Supermarket" has the same meaning as "retail food establishment" in rule 3717-1-01 of the Administrative Code.

**Comment [ODA2]:** ODA proposes to refer to the statutory description, rather than to redefine the term.

**Comment [ODA3]:** Key use of the term is in paragraph (D) of rule 173-4-02 of the Administrative Code.