

DRAFT for ONLINE PUBLIC-COMMENT PERIOD  
\*\*\* DRAFT - NOT YET FILED \*\*\*

173-51-01

Assisted living program (state-funded component):  
Introduction introduction and definitions.

Note: ODA presents the rule in a proposed amendment form. When ODA files the rule with the Joint Committee on Agency Rule Review (JCARR) to begin the legislature's formal rule-review process, the Legislative Service Commission will require ODA to propose rescinding the rule and adopting a new rule in its place.

(A) Introduction: Chapter 173-51 of the Administrative Code regulates the state-funded component of the assisted living program created under section ~~5111.89~~ 173.543 of the Revised Code. (See Chapter 173-38 of the Administrative Code for rules on the medicaid-funded component of the assisted living program.)

~~(B) Definitions for Chapter 173-51 of the Administrative Code:~~

- ~~(1) "Assisted living program" ("program") means the state-funded component of the home and community-based program created under section 5111.89 of the Revised Code that provides consumers in the program with the assisted living service under rule 173-39-02.16 of the Administrative Code and, in some cases, the community transition service under rule 173-39-02.17 of the Administrative Code, if the consumers reside in a residential care facility and would otherwise receive services in a nursing facility if the program was not available.~~
- ~~(2) "Authorized representative" means a person, eighteen years of age or older, who is chosen by, and acts on behalf of, an individual who is applying for, or receiving, medical assistance. In accordance with rule 5101:1-38-01.2 of the Administrative Code, the individual must provide a written statement naming the authorized representative and the duties that the named authorized representative may perform on the individual's behalf.~~
- ~~(3) "CDJFS" means "county department of job and family services."~~
- ~~(4) "Form JFS02399" means "form JFS02399 'Request for Medicaid Home and Community-Based Services (HCBS).'"~~
- ~~(5) "Form JFS07200" means "form JFS07200 'Request for Cash, Food and Medical Assistance.'"~~
- ~~(6) "Form ODA1115" means "form ODA1115 'Financial Assessment Worksheet.'" The \_\_\_\_\_ form \_\_\_\_\_ is \_\_\_\_\_ readily \_\_\_\_\_ available \_\_\_\_\_ on <http://www.aging.ohio.gov/information/rules/forms.aspx>.~~
- ~~(7) "Form ODA1116" means "form ODA1116 'Enrollment Agreement.'" The form is \_\_\_\_\_ readily \_\_\_\_\_ available \_\_\_\_\_ on <http://www.aging.ohio.gov/information/rules/forms.aspx>.~~
- ~~(8) "Nursing facility" has the same meaning as in section 5111.20 of the Revised Code.~~
- ~~(9) "ODA" means "the Ohio department of aging."~~

**DRAFT for ONLINE PUBLIC-COMMENT PERIOD**  
**\*\*\* DRAFT - NOT YET FILED \*\*\***

173-51-01

2

- ~~(10) "ODA's designee" has the same meaning as "PASSPORT administrative agency" in section 173.42 of the Revised Code. The current PASSPORT administrative agencies are the area agencies on aging listed in rule 173-2-04 of the Administrative Code plus "Catholic Social Services of the Miami Valley."~~
- ~~(11) "Service plan" means the written outline of the services that ODA's designee expects a provider to furnish to a consumer, regardless of the funding source for those services.~~

(B) Definitions for this chapter:

"Assisted living program" ("program") means the state-funded component of the assisted living program. ODA created the component under the authority of section 173.543 of the Revised Code to temporarily provide eligible individuals with the assisted living service under rule 173-39-02.16 of the Administrative Code, and in some cases, the community transition service under rule 173-39-02.17 of the Administrative Code.

"Authorized representative" has the same meaning as in rule 5160:1-1-55.1 of the Administrative Code.

"Form JFS07200" means "form JFS07200 'Request for Cash, Food, and Medical Assistance.' (rev. 9/2014)" The Ohio department of job and family services publishes the form on <http://www.odjfs.state.oh.us/forms/>." It is available to the general public at no cost.

"Form ODA1115" means "form ODA1115 'Financial Assessment Worksheet.'" (September, 2011). ODA publishes the form on [www.aging.ohio.gov](http://www.aging.ohio.gov). It is available to the general public at no cost.

"Form ODA1116" means "form ODA1116 'Enrollment Agreement.'" (September, 2011) ODA publishes the form on [www.aging.ohio.gov](http://www.aging.ohio.gov). It is available to the general public at no cost.

"Form ODA1117 means "form ODA1117 'Notice of Proposed Action and Opportunity for Hearing" (April, 2012). ODA publishes the form on [www.aging.ohio.gov](http://www.aging.ohio.gov). It is available to the general public at no cost.

"Form ODM02399" means "form JFS02399 'Request for Medicaid Home and Community-Based Services (HCBS)' (07/2014)." ODM publishes the form on <http://medicaid.ohio.gov/RESOURCES/Publications/MedicaidForms.aspx>. It is available to the general public at no cost

"Nursing facility" has the same meaning as in section 5165.01 of the Revised Code.

DRAFT for ONLINE PUBLIC-COMMENT PERIOD  
\*\*\* DRAFT - NOT YET FILED \*\*\*

173-51-01

3

"ODA" means "the Ohio department of aging."

"ODA's designee" has the same meaning as in rule 173-39-01 of the Administrative Code.

"ODM" means "the Ohio department of medicaid."

"ODM's administrative agency" has the same meaning as "administrative agency" in rule 5160:1-1-01 of the Administrative Code.

"Residential care facility" has the same meaning as in section 3721.01 of the Revised Code.

"Service plan" means the written outline of the goods or services that a case manager authorizes a provider to provide to an individual, regardless of the funding source for those goods or services. "Service plan" includes the person-centered planning in rule 5160-44-02 of the Administrative Code.