



## **Ohio Home Care Waiver, Specialized Recover Services Program, MyCare Ohio, and Medicaid Managed Care Provider Flexibilities Summary:**

### **Response to COVID-19**

**October 1, 2021**

This document replaces all prior joint Ohio Department of Medicaid (ODM) and Ohio Department of Aging (ODA) guidance and COVID-19 emergency protocols issued and posted on joint websites throughout 2020.

Additionally, please note, this document is ODM guidance to providers of Ohio Home Care Waiver, MyCare, Specialized Recovery Services Program, and Medicaid Managed Care.

**Provider Enrollment:** The application process to enroll to be an Ohio Medicaid provider is completely on-line and can be accessed here:

<https://medicaid.ohio.gov/Provider/EnrollmentandSupport/ProviderEnrollment>.

*OAC 5160-46-04 Ohio Home Care Waiver: Definitions of Covered Services and Provider Specifications*

*OAC 5160-45-04 Ohio Department of Medicaid – administered waiver program: provider enrollment process*

**Provider Deeming Across Waivers:** ODM and ODA are authorized to consider any ODM, ODA or the Ohio Department of Developmental Disabilities (DODD) waiver service provider as having satisfied ODM or ODA requirements for same or similar services. Provider certified by ODA and DODD to provide services for Ohio Medicaid individuals are enrolled as Ohio Medicaid providers. As such, it is possible to deem them as providers across waivers for like services for the duration of the public health emergency. Providers can begin this process by contacting any of the agencies listed below.

Ohio Department of Aging: [ProviderNetworkManagement@age.ohio.gov](mailto:ProviderNetworkManagement@age.ohio.gov)

Ohio Department of Medicaid: [BureauNetworkManagement@Medicaid.ohio.gov](mailto:BureauNetworkManagement@Medicaid.ohio.gov)

Ohio Department of Developmental Disabilities: [Provider.certification@dodd.ohio.gov](mailto:Provider.certification@dodd.ohio.gov)



*OAC 5160-46-04(E) Ohio Home Care Waiver: Definitions of Covered Services and Provider Specifications*

5160-31-06	Provider conditions of participation for the PASSPORT HCBS waiver program	ODA is authorized to deem any ODM or DODD waiver provider as having satisfied ODA certification requirements for same or similar services.
5160-40-01	Medicaid home and community-based services program - individual options waiver	Suspended provision requiring services to be provided pursuant to written Individual Service Plans (ISP) for adult day supports and vocational habilitation services occurring at a non-residential facility. Authorizes DODD to deem any provider approved by ODM or ODA to provide waiver services as having satisfied the requirements for certification by DODD for the same or similar services.
5160-41-17	Medicaid home and community-based services program - self-empowered life funding waiver	Suspended provision requiring services to be provided pursuant to written Individual Service Plans (ISP) for adult day supports and vocational habilitation services occurring at a non-residential facility. Authorizes DODD to deem any provider approved by ODM or ODA to provide waiver services as having satisfied the requirements for certification by DODD for the same or similar services.
5160-42-01	Medicaid home and community-based services program - level one waiver	Suspended provision requiring services to be provided pursuant to written Individual Service Plans (ISP) for adult day supports and vocational habilitation services occurring at a non-residential facility. Authorizes DODD to deem any provider approved by ODM or ODA to provide waiver services as having satisfied the requirements for certification by DODD for the same or similar services.
5160-44-11	Nursing facility-based level of care home and community-based services programs: home delivered meals	ODM and ODA are authorized to deem any ODM, ODA or DODD waiver provider as having satisfied ODM or ODA requirements for same or similar services.
5160-44-12	Nursing facility-based level of care home and community-based services programs: home maintenance and chore services	ODM and ODA are authorized to deem any ODM, ODA or DODD waiver provider as having satisfied ODM or ODA requirements for same or similar services.
5160-44-13	Nursing facility-based level of care home and community-based services programs: home modification services	ODM and ODA are authorized to deem any ODM, ODA or DODD waiver provider as having satisfied ODM or ODA requirements for same or similar services.



5160-44-14	Nursing facility-based level of care home and community-based services programs: community integration services	ODM and ODA are authorized to deem any ODM, ODA or DODD waiver provider as having satisfied ODM or ODA requirements for same or similar services.
5160-44-16	Nursing facility-based level of care home and community-based services programs: personal emergency response systems	The face-to-face return demonstration on how to use PERS may be conducted by telephone or electronically, unless the individual's needs require a face-to-face visit. ODM and ODA are authorized to deem any ODM, ODA or DODD waiver provider as having satisfied ODM or ODA requirements for same or similar services.
5160-44-17	Nursing facility-based level of care home and community-based services programs: out-of-home respite services	ODM-approved and ODA-certified out-of-home respite provider settings do not have to be licensed. ODM and ODA are authorized to deem any ODM, ODA or DODD waiver provider as having satisfied ODM or ODA requirements for same or similar services.
5160-44-26	Nursing facility-based level of care home and community-based services programs: community transition services	If the individual's signature verifying service delivery cannot be met at the time of the service, the provider may accept an electronic signature or standard signature via regular mail from the individual, or otherwise obtain signature no later than at the next face-to-face visit. ODM and ODA are authorized to deem any ODM, ODA or DODD waiver provider as having satisfied ODM or ODA requirements for same or similar services.
5160-44-27	Nursing facility-based level of care home and community-based services programs: home care attendant services	Required face-to-face visits may be conducted by telephone or electronically, unless the individual's needs require a face-to-face visit. First aid and CPR certifications may be from a class that is solely internet-based and that does not include hands-on training. If the individual is unable to provide required signatures at the time of service, the individual is to submit ODM and ODA are authorized to deem any ODM, ODA or DODD waiver provider as having satisfied ODM or ODA requirements for same or similar services. Electronic or standard signature via regular mail, or otherwise provide a signature at the next face-to-face visit with the provider.
5160-46-04	Ohio home care waiver: definitions of the covered services and provider requirements and specifications	ODM suspended prohibition against legally responsible family members and foster caregivers from being a personal care aide service provider if employed by a Medicare-certified or otherwise-accredited home health agency, or another ODM-approved agency. Adult day health center service providers are approved to provide services at the individual's place of residence, telephonically, or electronically. The ratio of paid ADHCS direct care staff to individuals is suspended. At all times, the ADHC is required to maintain a ratio of 1:10. First aid certification for personal care and supplemental transportation providers may be from a class that is solely internet based that doesn't include hands-on training. Face-to-face supervisory visits required for agency personal care aide providers may be conducted by telephone or electronically, unless the individual's needs require a face-to-face visit. ODM is authorized to deem any ODA or DODD waiver provider as having satisfied ODM requirements for same or similar services.



**Family Members as Providers:** Spouses, parents of minor children, foster children’s caregivers, and other legally responsible persons may be eligible to provide waiver nursing and personal care if they are employed by an agency.

*OAC 5160-46-04(A)(6) Ohio Home Care Waiver: Definitions of Covered Services and Provider Specifications*

5160-44-31	Ohio Department of Medicaid (ODM)-administered waiver programs: provider conditions of participation	Rule citations corrected. Participation in provider trainings mandated or sponsored by ODM/designees are suspended unless online or web-based. If individual is unable to provide signatures at the time of service, the individual must submit an electronic or standard signature by mail or provide signature no later than next face-to-face visit with the provider. Restrictions against providers being legally responsible family members, authorized representatives, legal guardians or others able to make decisions for an individual are suspended unless the provider is a non-agency provider.
5160-46-04	Ohio home care waiver: definitions of the covered services and provider requirements and specifications	ODM suspended prohibition against legally responsible family members and foster caregivers from being a personal care aide service provider if employed by a Medicare-certified or otherwise-accredited home health agency, or another ODM-approved agency. Adult day health center service providers are approved to provide services at the individual’s place of residence, telephonically, or electronically. The ratio of paid ADHCS direct care staff to individuals is suspended. At all times, the ADHC is required to maintain a ratio of 1:10. First aid certification for personal care and supplemental transportation providers may be from a class that is solely internet based that doesn’t include hands-on training. Face-to-face supervisory visits required for agency personal care aide providers may be conducted by telephone or electronically, unless the individual’s needs require a face-to-face visit. ODM is authorized to deem any ODA or DODD waiver provider as having satisfied ODM requirements for same or similar services.

**Structural Reviews:** ODM is continuing provider structural reviews in a desk review and telephone interview format as opposed to face-to-face reviews. Structural reviews are an important ODM check-in with providers; therefore, prompt response to Public Consulting Group’s (PCG) initial contact to set up a structural review is very important. This is also an opportunity for providers to ask questions, share concerns and increase their understanding of program requirements.

*OAC 5160-45-06 Ohio Department of Medicaid - administered waiver program: structural reviews of providers and investigation of provider occurrences*



**Provider Training Requirements:** ODM is waiving the face-to-face training requirement for CPR and First Aid for non-agency provider enrollment; providers may complete these trainings on-line to meet the training requirement for enrollment as an Ohio Medicaid provider.

*OAC 5160-44-31 Ohio Department of Medicaid - administered waiver program: provider conditions of participation*

5160-46-04	Ohio home care waiver: definitions of the covered services and provider requirements and specifications	ODM suspended prohibition against legally responsible family members and foster caregivers from being a personal care aide service provider if employed by a Medicare-certified or otherwise-accredited home health agency, or another ODM-approved agency. Adult day health center service providers are approved to provide services at the individual's place of residence, telephonically, or electronically. The ratio of paid ADHCS direct care staff to individuals is suspended. At all times, the ADHC is required to maintain a ratio of 1:10. First aid certification for personal care and supplemental transportation providers may be from a class that is solely internet based that doesn't include hands-on training. Face-to-face supervisory visits required for agency personal care aide providers may be conducted by telephone or electronically, unless the individual's needs require a face-to-face visit. ODM is authorized to deem any ODA or DODD waiver provider as having satisfied ODM requirements for same or similar services.
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