

5101:3-12-28 Enrollment Process for ODJFS-Administered Waiver Service Providers.

Effective Date: July 1, 2004

(A) All ODJFS-administered waiver service providers must meet the eligibility requirements set forth in rule [5101:3-12-05](#) of the Administrative Code. Any person who wants to provide waiver services in an ODJFS-administered waiver must complete the service provider application process set forth in this rule and receive enrollment approval from ODJFS.

(B) All applicants must submit a complete and accurate service provider application packet to ODJFS or to the entity designated by ODJFS to receive and process such packets. Each applicant must submit with their service provider application packet a signed statement affirming that the applicant received and read all Administrative Code provisions governing the Ohio home care program.

(C) ODJFS will review the service provider application packet to verify the following information for each provider type.

(1) For each medicare-certified home health agency, ODJFS will verify the agency's current medicare certification status, and that the agency and/or the agency's primary officer, director, or owner is not on the U.S. department of health and human services' exclusionary participant list.

(2) For each other accredited home health agency, ODJFS will verify the agency's current accreditation status, and that the agency and/or the agency's primary officer, director, or owner is not on the U.S. department of health and human services' exclusionary participant list.

(3) For each waiver independent daily living aide, ODJFS will verify the following:

(a) The aide has successfully completed the nurse aide competency evaluation conducted by the Ohio department of health under section 3721.31 of the Revised Code, or has successfully completed and passed the home health aide competency evaluation as specified in 42 CFR Part 484 (as effective on July 1, 2004);

(b) The aide is not listed on the U.S. department of health and human services' exclusionary participant list;

(c) The aide has successfully completed a criminal records check as enumerated in rule [5101:3-12-26](#) of the Administrative Code and, if applicable, the consumer has implemented the personal character standards enumerated in paragraph (D) of rule 5101:3-12-26 of the Administrative Code; and

(d) The aide is not listed on the Ohio department of mental retardation and developmental disabilities' (ODMR/DD) abuser registry.

(4) For each waiver independent daily living non-aide, ODJFS will verify the following:

(a) The non-aide has successfully completed a criminal records check as enumerated in rule [5101:3-12-26](#) of the Administrative Code, and if applicable, the consumer has implemented the personal character standards enumerated in paragraph (D) of rule 5101:3-12-26 of the Administrative Code;

(b) The non-aide is not listed on the U.S. department of health and human services' exclusionary participant list; and

- (c) The non-aide is not listed on the ODMR/DD abuser registry.
- (5) For each independent home care nurse, ODJFS will verify the following:
 - (a) The nurse has a valid and active RN or LPN license in the state of Ohio;
 - (b) An appropriate license is held by an LPN supervisor;
 - (c) There are no pending actions or sanctions against the nurse by the Ohio board of nursing;
 - (d) The nurse has successfully completed a criminal records check as enumerated in rule [5101:3-12-26](#) of the Administrative Code and, if applicable, the consumer has implemented the personal character standards enumerated in paragraph (D) of rule 5101:3-12-26 of the Administrative Code;
 - (e) The nurse is not listed on the U.S. department of health and human services' exclusionary participant list; and
 - (f) The nurse is not listed on the ODMR/DD abuser registry.
- (6) For each ODJFS-administered HCBS waiver provider of other waiver services, ODJFS will verify that the entity or organization meets the requirements specified in paragraphs (I) (2) and (I) (3) or (J) of rule [5101:3-12-05](#) of the Administrative Code.
- (D) ODJFS will not process a service provider application packet if the packet does not contain information necessary to complete the required verifications. ODJFS will not process a service provider application packet if the applicant does not submit the signed statement as required by section (B) of this rule. ODJFS will notify the applicant in writing of any missing information, and will provide the applicant thirty calendar days to provide the required documentation. If the applicant does not submit the required documentation within thirty calendar days, the service provider application process will be terminated.
- (E) ODJFS will review all information and make a determination regarding the applicant's eligibility for enrollment. If ODJFS determines the applicant is ineligible for enrollment, the applicant is entitled to appeal rights in accordance with rule [5101:3-1-17.6](#) of the Administrative Code.

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R.C. 119.032 review dates:

Certification

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