



S.B. 290

123rd General Assembly
(As Introduced)

Sen. Hagan

BILL SUMMARY

- Requires the Department of Job and Family Services to adopt rules concerning the Ohio Home Care Program that permit specified providers to participate in the Program.

CONTENT AND OPERATION

The Ohio Home Care Program

The Ohio Home Care Program is a program of home care services provided to Medicaid eligible consumers.¹ The program integrates three previously existing Medicaid home and community-based programs (PASSPORT, which is administered by the Department of Aging, and Individual Options and Residential Facility, which are administered by the Department of Mental Retardation and Developmental Disabilities) and three new Medicaid home and community-based programs (Core, Core Plus, and Waiver, which are administered by the Department of Job and Family Services).² The Core Benefit Package is designed to meet the basic home care needs of most consumers who require up to 14 hours of nursing services, daily living services, or both, each week. The Core Plus Benefit Package is structured to meet the home care needs of consumers who require more than 14 hours of nursing services, daily living services, or both, each week. The Waiver Benefit Package is designed to meet the long-term home care needs of consumers whose medical condition, functional abilities, or both, would otherwise require them to live in a nursing home or other institutional setting.

¹*Ohio Administrative Code Chapter 5101:3-12.*

²*Effective July 1, 2000, the Department of Human Services is renamed the Department of Job and Family Services. Therefore, the bill refers to the Department by that name.*

Services provided under the Core Benefit and Core Plus Benefit packages must be provided by a Medicare-certified home health agency. If a consumer receiving services through the Core Plus Benefit Package requires only nursing services, the services may also be provided by independent home care nurses and advanced practice nurses. For consumers receiving services through the Waiver Benefit Package, skilled therapy services must be provided by a Medicare-certified home health agency. Nursing services may be provided by a Medicare-certified home health agency or another accredited home health agency, but certain consumers may have nursing services provided by either an independent home care nurse or advanced practice nurse. Daily living services may be provided by a Medicare-certified home health agency or another accredited home health agency, but certain consumers may have daily living services provided by either a waiver independent daily living aide or waiver independent daily living non-aide.³

The bill

(Section 1)

The bill requires the Department of Job and Family Services to change rules it has adopted governing the Ohio Home Care Program to authorize a provider to participate in the program despite not being certified to participate in the Medicare program or accredited by the Joint Commission on Accreditation of Healthcare Organizations or Community Health Accreditation Program, if the provider was a provider for any of the Medicaid home and community-based programs that were integrated when the Ohio Home Care Program was created and the provider meets the health and safety standards for participation that were in effect at that time. The bill also requires the Department to adopt, amend, or rescind its rules as necessary to continue ensuring the health and safety of recipients of services from providers participating in the Ohio Home Care Program.

If necessary, the Department must amend the state Medicaid plan and the Medicaid waivers under which the Ohio Home Care Program is operated to implement the changes required by the bill. Then, on receipt of approval from the

³ O.A.C. § 5103:3-12-05. *A waiver independent daily living aide must successfully complete a criminal records check and either the nurse aide competency evaluation conducted by the Ohio Department of Health or a home health aide competency evaluation as specified in federal regulations. A waiver independent daily living non-aide must successfully complete a criminal records check. Providers of personal care, homemaker, or chore services who have been approved by the Department of Aging or Mental Retardation and Developmental Disabilities may enroll as waiver independent daily living non-aides.*

United States Secretary of Health and Human Services, the Department must modify its rules in accordance with the bill.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	04-18-00	p. 1612

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