



Ohio Administrative Code

Rule 173-4-06 Older Americans Act nutrition program: diet orders.

Effective: December 1, 2023

(A) Definitions for this rule:

(1) "Diet order" means an order for a therapeutic diet from a licensed healthcare professional whose scope of practice includes ordering a therapeutic diet.

(2) "Therapeutic diet" means a calculated nutritive regimen including, the following regimens:

(a) Diabetic and other nutritive regimens requiring a daily specific calorie level.

(b) Renal nutritive regimens.

(c) Dysphagia nutritive regimens, excluding simple textural modifications.

(d) Any other nutritive regimen requiring a daily minimum or maximum level of one or more specific nutrients or a specific distribution of one or more nutrients.

(B) Requirements for every AAA-provider agreement for therapeutic diets paid, in whole or in part, with Older Americans Act funds:

(1) The AAA-provider agreement is subject to the requirements in rule 173-3-06 of the Administrative Code.

(2) Diet orders:

(a) The provider may provide a therapeutic diet to a consumer only if the provider received a diet order for the consumer or if it is the consumer's preference to choose a therapeutic diet. If a therapeutic diet is a dysphagia nutritive regimen, the provider may provide the therapeutic diet only if the diet order indicates whether the consumer requires texture-modified foods and/or thickened



liquids.

(b) The provider shall provide a therapeutic diet to the consumer identified in a diet order for the shorter of the following two durations:

(i) The length of time authorized by the diet order.

(ii) One year from the date the diet order indicates the diet should begin.

(c) The provider shall provide the therapeutic diet according to any updated diet order if the updated diet order is received before the expiration of the current diet order.

(d) The provider may use either nutrient analysis or a meal-pattern plan approved by a dietitian to assure that the therapeutic diet contains nutrients consistent with the diet order.

(e) The provider may provide a therapeutic diet only if the provider (or, if the consumer is in a care-coordination program, the AAA) retains a copy of the diet order unless it is the consumer's preference to choose a therapeutic diet.

(3) Dietitians:

(a) The provider shall determine the need, feasibility, and cost-effectiveness of offering a therapeutic diet by consulting with a licensed dietitian.

(b) A provider may provide a therapeutic diet only if the provider relies upon the oversight of a dietitian when providing the therapeutic diet.