



## Ohio Administrative Code Rule 3701-19-41 Contracted services.

Effective: February 19, 2024

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(A) A provider of a pediatric respite care program may arrange for another person or public agency to furnish a component or components of the pediatric respite care program pursuant to a written contract.

(B) When a provider of a pediatric respite care program arranges for home health agency or hospice care program to furnish a component or components of the pediatric respite care program to its patient, the care is obligated to be provided by a licensed, certified, or accredited hospital, home providing nursing care, home health agency, or hospice care program pursuant to a written contract under which:

(1) The provider of pediatric respite care program furnishes to the contractor a copy of the pediatric respite care patient's interdisciplinary plan of care that is established under division (C) of section 3712.06 of the Revised Code and rule 3701-19-40 of the Administrative Code and specifies the care that is to be furnished by the contractor;

(2) The regimen described in the established plan of care is continued while the pediatric respite care patient receives care from the contractor, subject to the patient's needs, and with approval of the coordinator of the interdisciplinary team designated pursuant to division (C)(1) of section 3712.06 of the Revised Code and paragraph (A) of rule 3701-19-40 of the Administrative Code;

(3) All care, treatment, and services furnished by the contractor are entered into the pediatric respite patient's medical record;

(4) The designated coordinator of the interdisciplinary team ensures conformance with the established plan of care;

(5) A copy of the medical record and discharge summary maintained by the contractor is retained as part of the pediatric respite patient's medical record; and



(6) The contractor complies with the requirements of Chapter 3712. of the Revised Code, and this chapter as applicable to the contracted service.

(C) Any contract executed pursuant to this rule is legally binding on both parties and is obligated to do all of the following:

(1) Identify the services that may be provided;

(2) Stipulate that services may be provided only with the express authorization of the pediatric respite care program;

(3) Describe the manner in which the contracted services are coordinated, supervised, and evaluated by the pediatric respite care program;

(4) Delineate the role or roles of the pediatric respite care program and the contractor in the admission process, patient and family assessment, and the interdisciplinary team reviews;

(5) Stipulate the requirements for documenting that services are furnished in accordance with the contract and the requirements of Chapter 3712. of the Revised Code, Chapter 3701-13 and this chapter of the Administrative Code;

(6) Set forth the qualifications of the personnel providing the services; and

(7) Stipulate that the pediatric respite care program is obligated to provide pediatric respite care orientation and training, in accordance with paragraph (E) of rule 3701-19-38 of the Administrative Code, to the contractor's personnel who provide the care under the contract.

(D) The pediatric respite care program is obligated to assure the continuity of patient and family care.

(E) The pediatric respite care program retains professional management responsibility for contracted services and ensuring that those services are furnished in a safe and effective manner, by persons



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DOCUMENT #315272

meeting the qualifications prescribed by Chapter 3701-13 and this chapter of the Administrative Code, and in accordance with the patient's plan of care and the other requirements of this chapter.