



Ohio Administrative Code

Rule 5160-44-26 Nursing facility-based level of care home and community-based services programs: community transition services.

Effective: January 1, 2024

(A) "Community transition" pays for non-recurring start-up living expenses for individuals transitioning from an institutional setting to a home and community-based services (HCBS) setting that is compliant with rule 5160-44-01 of the Administrative Code. Community transition:

(1) Community transition includes the following:

(a) Expenses necessary to enable an individual to establish a basic household. Examples include:

(i) Security deposits and rental fees needed to obtain a lease on an apartment or home and rental expenses required to obtain a residential lease;

(ii) Essential household items such as furnishings and moving expenses required to occupy and use a community home, including furniture needed to occupy and maintain housing, including window coverings, food preparation items, and linens;

(iii) Set-up fees and deposits for utility and service access, including telephone/cellphone, electricity, gas, garbage, and water;

(iv) Services necessary for the individual's health and safety such as pest eradication and one-time cleaning prior to occupancy;

(v) Pre-transition transportation necessary to secure housing and benefits, etc.;

(vi) Initial cleaning and household supplies;

(vii) Activities to arrange for and to procure other non-recurring set-up expenses; and

(viii) Essential personal hygiene and clothing items needed to transition safely.



(b) The provider's administrative cost associated with providing community transition under this rule. Such fees will be included in the authorization described in paragraph (A)(2)(b) of this rule.

(2) Is payable only to the extent:

(a) They are determined reasonable and necessary through the person-centered services planning process described in rule 5160-44-02 of the Administrative Code and are clearly identified in an individual's person-centered services plan; and

(b) They are authorized by the Ohio department of medicaid (ODM), the Ohio department of aging (ODA) or their designee in an individual's person-centered services plan, which will only occur if no other person, including a landlord, has a legal or contractual responsibility to fund the expense, and if family, neighbors, friends, or community resources are unavailable to fund the expense.

(3) May be authorized up to one hundred eighty consecutive days before an individual's transition from an institutional setting into an HCBS setting. The date of service for purposes of payment is the date the individual leaves the institutional setting. If the individual fails to transition to an HCBS setting, the service is still payable if all other requirements are met.

(4) Is provided no later than thirty days after the date on which an individual enrolls on the waiver program.

(B) Community transition does not include:

(1) Room and board, ongoing monthly rental, or mortgage expenses;

(2) Grocery expenses;

(3) Ongoing utility or service expenses;

(4) Ongoing cable or internet expenses;



(5) Electronic and other household appliances and items intended to be used for entertainment or recreational purposes;

(6) Tobacco products or alcohol; and

(7) Furnishing living arrangements that are owned or leased by a waiver provider where the provision of these items and services are inherent to the service they are already providing.

(C) Limitations.

(1) Community transition will only be used one time per individual per waiver enrollment.

(2) Community transition will not exceed two thousand dollars per individual per waiver program enrollment.

(D) Providers will:

(1) Be either:

(a) An ODM-approved or ODA-certified waiver agency provider;

(b) An ODM-approved or ODA-certified non-agency provider;

(c) A transition coordination service provider under contract with ODM that also meets the requirements set forth in paragraph (E)(1) of this rule; or

(d) An ODA-certified assisted living provider.

(2) Comply with the requirements set forth in rule 5160-44-31 of the Administrative Code for an ODM-administered waiver program, or Chapter 173-39 of the Administrative Code for the pre-admission screening system providing options and resources today (PASSPORT) or assisted living programs.



(3) The provider will involve the individual and/or caregiver(s) in the selection of items to be purchased on the individual's behalf.

(E) All providers will maintain a record at their place of business for each individual served in accordance with the requirements set forth in rule 5160-44-31 of the Administrative Code, or with the requirements set forth in Chapter 173-39 of the Administrative Code for the PASSPORT program. For each service provided, the record will include:

- (1) The individual's name;
- (2) Date of service;
- (3) A detailed description of each expense;
- (4) A receipt for each expense;
- (5) Verification the individual was involved in the selection of all items; and
- (6) The individual's signature to verify receipt of the service.