

## Conditions of Participation for HOME Choice Providers

In order to enroll as a provider and remain in good standing, providers must agree to adhere to all of the conditions of participation. So it is a good idea to have an understanding of conditions of participation before enrolling. The information below provides a general overview. The complete requirements are outlined in Ohio Administrative Code (OAC) 5101:3-51-03.

Home Choice providers shall:

- Meet all the service specification requirements for each of the services they provide;
- Comply with the criminal records check requirements. These requirements vary depending on the certifying department;
- Attend all ODJFS-sponsored HOME Choice provider training sessions;
- Assure consumers receive their services as outlined on their HOME Choice Demonstration Program service plan;
- Provide information when it is requested by the state agency administering the consumer's waiver;
- Comply with all federal and state privacy laws, including HIPAA;
- Maintain and retain all required documentation;
- Retain all records of service delivery and billing;
- Cooperate with any quality assurance activities;
- Report changes in the consumer's condition or needs;
- Submit written notification if terminating services;
- Comply with incident reporting requirements;
- Pay all local, state and federal taxes;

HOME Choice providers shall not:

- Consume the consumer's food or drink;
- Bring anyone else into the consumer's home;
- Take the consumer to the provider's residence;
- Be impaired by alcohol or drugs while providing services;
- Discuss religion, politics or personal issues;
- Accept or obtain anything of value from the consumer, including gifts;
- Engage in sexual conduct with the consumer;
- Leave the consumer's home for personal reasons without notifying the case manager;
- Use the consumer's vehicle for personal reasons;
- Engage in activities that may distract from service delivery. This includes watching television, making personal phone calls, sleeping and providing care to others;
- Engage in abusive behaviors;
- Get involved with the consumer's personal relationships;

- Make legal or financial decisions for the consumer;
- Sell to or purchase items from a consumer;
- Engage in behavior that results in unfair personal gain.

HOME Choice providers will be monitored to make sure that they adhere to the conditions of participation. If a provider is found to be in violation of one of the rules, a Notice of Operational Deficiency may be issued. This notice will outline the issue(s) and will instruct the provider to submit a Plan of Correction. The provider is asked to explain what has been done to correct the problem and what steps will be put in place to ensure a similar issue does not occur in the future.

Providers should view this process as a way learning from their mistakes and making improvements for the future. Failure to submit a Plan of Correction can lead to sanctions including termination of the provider's HOME Choice Provider Agreement.

In some instances, the HOME Choice Demonstration Program may determine that a provider's continued participation in the program is not in the best interest of consumers or the state of Ohio. Should this occur, the provider will receive a Proposed Adjudication Order. This order will explain why the HOME Choice Demonstration Program is proposing termination and how the provider can request a hearing in the matter.