



# Department of Developmental Disabilities

Mike DeWine, Governor  
Jeff Davis, Director

## Administrative Rules

Number	Effective Date	Title
<b>Chapters 5123-1 &amp; 5123:1-1 Community Capital Assistance Funds</b>		
5123:1-1-01	01/18/2018	Community capital assistance funds - non-residential capital facilities <u>Appendix</u> - Construction project payment schedule
5123-1-03	07/25/2019	Community capital assistance funds - acquisition of housing
5123-1-04	10/01/2020	Community capital assistance funds - development of licensed residential facilities
5123:1-1-17	01/18/2018	Community capital assistance funds - residential accessibility and renovation projects
<b>Chapters 5123-2 &amp; 5123:2-2 Provider Standards</b>		
5123-2-02	07/01/2019	Background investigations for employment
5123-2-03	07/01/2019	Quality assurance
5123-2-04	11/19/2020	Compliance reviews of certified providers
5123:2-2-05	04/01/2017	Employment first
5123-2-06	11/19/2020	Development and implementation of behavioral support strategies
5123:2-2-07	10/01/2016	Personal funds of the individual
5123-2-08	09/01/2021	Provider certification - agency providers <u>Appendix A</u> - Training requirements for director of operations <u>Appendix B</u> - Direct support professionals exempted from some requirements based on specific home and community-based services provided <u>Appendix C</u> - Training requirements for direct support professionals <u>Appendix D</u> - Agency providers exempted from requirement to pay application fee based on specific home and community-based services provided

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5123-2-09	09/01/2021	<p>Provider certification - independent providers</p> <p><u>Appendix A</u> - Training requirements for independent providers other than independent providers of specific home and community-based services addressed in appendix B or appendix C to this rule</p> <p><u>Appendix B</u> - Training requirements for independent providers of clinical/therapeutic intervention, functional behavioral assessment, home-delivered meals, informal respite, interpreter services, money management, nutrition services, participant/family stability assistance, social work, and support brokerage</p> <p><u>Appendix C</u> - Training requirements for independent providers of environmental accessibility adaptations and specialized medical equipment and supplies</p> <p><u>Appendix D</u> - Independent providers exempted from requirement to pay application fee based on specific home and community-based services provided</p>
<b>Chapters 5123-3 &amp; 5123:2-3 Licensed Residential Facilities</b>		
5123:2-3-01	10/01/2016	Licensed residential facilities - administration and operation
5123:2-3-02	10/01/2016	Licensed residential facilities - physical environment standards, fire safety, and emergency response planning
5123:2-3-03	10/01/2016	Licensed residential facilities - person-centered planning
5123:2-3-04	10/01/2016	Licensed residential facilities - provision of services and maintenance of service records
5123:2-3-05	10/01/2016	Licensed residential facilities - admission, termination of services, and transfer
5123:2-3-06	10/01/2016	Licensed residential facilities - compliance reviews, issuance of licenses, and adverse actions
5123:2-3-07	03/01/2017	Licensed residential facilities - immediate removal of residents
5123:2-3-08	10/01/2016	Licensed residential facilities - development and renovation
5123:2-3-09	10/01/2016	Licensed residential facilities - standards for evaluating potential receivers
5123-3-10	11/19/2020	Licensed residential facilities - procedures to waive rule requirements
5123:2-3-11	09/14/2018	Licensed residential facilities - room and board
<b>Chapters 5123-4 &amp; 5123:2-1 County Boards of Developmental Disabilities</b>		
5123-4-01	09/01/2018	Administration and operation of county boards of developmental disabilities
5123-4-02	05/17/2020	Service and support administration
5123-4-03	05/17/2020	In-service training for members of county boards of developmental disabilities
5123-4-04	07/25/2019	<p>Resolution of complaints involving county boards of developmental disabilities and appeals of adverse action proposed or initiated by county boards of developmental disabilities</p> <p><u>Appendix</u> - Complaint or appeal of adverse action explanation form</p>

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5123-4-05	01/01/2021	Assistance to enable a county board of developmental disabilities to pay the nonfederal share of medicaid expenditures for home and community-based services
5123:2-1-03	01/18/2018	Locally-funded transportation
<b>Chapters 5123-5 &amp; 5123:2-5 Certification Standards for Employees of County Boards of Developmental Disabilities</b>		
5123:2-5-01	04/01/2017	Adult services certification standards
5123:2-5-02	04/01/2017	Service and support administration certification standards
5123-5-03	07/25/2019	Certification standards for superintendents of county boards of developmental disabilities
5123-5-04	01/01/2019	Denial, suspension, and revocation of adult services, business manager, and service and support administration registration and certification
5123-5-07	07/25/2019	Investigative agent certification standards
5123-5-08	01/01/2019	Certification standards for business managers of county boards of developmental disabilities
<b>Chapters 5123-6 &amp; 5123:2-6 Performance of Health-Related Activities and Administration of Medication</b>		
5123:2-6-01	11/06/2017	Definitions of terms used in Chapter 5123:2-6 of the Administrative Code
5123:2-6-02	11/06/2017	Self-administration or assistance with self-administration of prescribed medication
5123:2-6-03	11/06/2017	Authorization of developmental disabilities personnel to perform health-related activities and administer prescribed medication
5123:2-6-04	11/06/2017	Qualifications, training, and certification of registered nurse instructors and registered nurse trainers
5123:2-6-05	11/06/2017	Qualifications and training of developmental disabilities personnel to activate a vagus nerve stimulator, use an epinephrine auto-injector, and administer topical over-the-counter medication for the purpose of cleaning, protecting, or comforting the skin, hair, nails, teeth, or oral surfaces
5123-6-06	01/14/2021	Qualifications, training, and certification of developmental disabilities personnel who perform health-related activities and administer prescribed medication
5123-6-07	11/19/2020	General provisions and compliance for performance of health-related activities and administration of prescribed medication
<b>Chapters 5123-7 &amp; 5123:2-7 Intermediate Care Facilities for Individuals with Intellectual Disabilities</b>		
5123-7-01	07/08/2018	Intermediate care facilities for individuals with intellectual disabilities - definitions
5123-7-02	12/16/2019	Intermediate care facilities for individuals with intellectual disabilities - provider agreement and other essential requirements
5123-7-04	12/16/2019	Intermediate care facilities for individuals with intellectual disabilities - payment during the Ohio department of medicaid administrative appeals process for termination of a provider agreement

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5123-7-05	12/16/2019	Intermediate care facilities for individuals with intellectual disabilities - payment during the Ohio department of health administrative appeals process for termination or non-renewal of medicaid certification
5123:2-7-08	07/01/2016	Intermediate care facilities for individuals with intellectual disabilities - bed-hold days
5123-7-09	12/16/2019	Intermediate care facilities for individuals with intellectual disabilities - personal needs allowance accounts
5123:2-7-11	07/01/2017	Intermediate care facilities for individuals with intellectual disabilities - relationship of other covered medicaid services
5123-7-12	12/16/2019	Intermediate care facilities for individuals with intellectual disabilities - cost report and chart of accounts <u>Appendix</u> - Chart of accounts
5123-7-14	12/16/2019	Intermediate care facilities for individuals with intellectual disabilities - debt estimation, debt summary report, and successor liability agreements for change of operator, facility closure, involuntary termination, or voluntary termination
5123:2-7-15	07/01/2017	Intermediate care facilities for individuals with intellectual disabilities - claim submission, payment, and adjustment process
5123-7-18	12/16/2019	Intermediate care facilities for individuals with intellectual disabilities - capital assets and depreciation
5123-7-20	07/08/2018	Intermediate care facilities for individuals with intellectual disabilities - resident assessment classification system based on administration of the individual assessment form
5123-7-21	12/16/2019	Intermediate care facilities for individuals with intellectual disabilities - compensation cost limits for owners and relatives of owners
5123-7-22	12/16/2019	Intermediate care facilities for individuals with intellectual disabilities - compensation cost limits for administrators who are not owners or relatives of owners
5123-7-23	12/16/2019	Intermediate care facilities for individuals with intellectual disabilities - method for establishing the other protected costs component of the prospective rate
5123-7-24	07/08/2018	Intermediate care facilities for individuals with intellectual disabilities - costs of ownership payment
5123-7-25	07/08/2018	Intermediate care facilities for individuals with intellectual disabilities - nonextensive renovation
5123-7-27	07/08/2018	Intermediate care facilities for individuals with intellectual disabilities - request for rate reconsideration
5123-7-28	09/18/2020	Intermediate care facilities for individuals with intellectual disabilities - intensive behavioral support rate add-on
5123:2-7-29	01/18/2018	Intermediate care facilities for individuals with intellectual disabilities - ventilator services
5123-7-30	07/08/2018	Intermediate care facilities for individuals with intellectual disabilities - exception review process for individual assessment form data
5123:2-7-31	07/01/2017	Intermediate care facilities for individuals with intellectual disabilities - recoupment of downsizing incentive
5123:2-7-32	09/15/2017	Intermediate care facilities for individuals with intellectual disabilities - administration of the Ohio developmental disabilities profile

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5123-7-33	12/16/2019	Intermediate care facilities for individuals with intellectual disabilities - resident assessment classification system based on administration of the Ohio developmental disabilities profile <u>Appendix</u> - Point values assigned to responses to questions on the Ohio developmental disabilities profile by domain
5123-7-34	12/17/2020	Intermediate care facilities for individuals with intellectual disabilities - quality indicators and the quality incentive payment program
<b>Chapter 5123-8 Developmental Disabilities Level of Care</b>		
5123-8-01	11/19/2020	Developmental disabilities level of care
<b>Chapters 5123-9 &amp; 5123:2-9 Home and Community-Based Services Waivers</b>		
5123-9-01	11/19/2020	Home and community-based services waivers - enrollment, denial of enrollment, disenrollment, and reenrollment
5123:2-9-02	06/01/2016	Home and community-based services waivers - ensuring the suitability of services and service settings
5123:2-9-03	11/02/2017	Home and community-based services waivers - overtime and limit on number of hours in a work week an independent provider may provide services
5123-9-04	11/19/2018	Home and community-based services waivers - waiting list <u>Appendix</u> - Ohio assessment for immediate need and current need
5123-9-06	11/19/2020	Home and community-based services waivers - documentation and payment for services under the individual options and level one waivers <u>Appendix A</u> - Ohio developmental disabilities profile funding ranges by cost-of-doing-business categories <u>Appendix B</u> - Cost-of-doing-business categories
5123-9-07	11/19/2020	Home and community-based services waivers - request for prior authorization for individuals enrolled in the individual options waiver
5123-9-11	11/19/2020	Home and community-based services waivers - free choice of providers
5123-9-12	07/01/2019	Home and community-based services waivers - assistive technology under the individual options, level one, and self-empowered life funding waivers <u>Appendix</u> - Billing units, service codes, and payment rates for assistive technology
5123-9-13	01/01/2019	Home and community-based services waivers - career planning under the individual options, level one, and self-empowered life funding waivers <u>Appendix</u> - Billing units, service codes, and payment rates for career planning
5123-9-14	11/19/2020	Home and community-based services waivers - vocational habilitation under the individual options, level one, and self-empowered life funding waivers <u>Appendix A</u> - Billing units, service codes, and payment rates for vocational habilitation <u>Appendix B</u> - Cost-of-doing-business categories
5123:2-9-15	04/01/2017	Home and community-based services waivers - individual employment support under the individual options, level one, and self-empowered life funding waivers <u>Appendix</u> - Billing unit, service codes, and payment rates for individual employment support

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5123-9-17	11/19/2020	Home and community-based services waivers - adult day support under the individual options, level one, and self-empowered life funding waivers <u>Appendix A</u> - Billing units, service codes, and payment rates for adult day support <u>Appendix B</u> - Cost-of-doing-business categories
5123-9-18	02/01/2020	Home and community-based services waivers - non-medical transportation under the individual options, level one, and self-empowered life funding waivers <u>Appendix A</u> - Billing units, service codes, and payment rates for non-medical transportation <u>Appendix B</u> - Cost-of-doing-business categories
5123-9-19	02/01/2020	Home and community-based services waivers - general requirements for adult day support, career planning, group employment support, individual employment support, non-medical transportation, and vocational habilitation <u>Appendix A</u> - Cost-of-doing-business categories <u>Appendix B</u> - Budget limitations
5123-9-20	01/01/2019	Home and community-based services waivers - money management under the individual options and level one waivers <u>Appendix A</u> - Billing unit, service codes, and payment rates for money management <u>Appendix B</u> - Cost-of-doing-business categories
5123-9-21	01/01/2019	Home and community-based services waivers - informal respite under the level one waiver <u>Appendix</u> - Billing unit, service code, and payment rate for informal respite
5123-9-22	01/01/2019	Home and community-based services waivers - community respite under the individual options, level one, and self-empowered life funding waivers <u>Appendix A</u> - Billing units, service codes, and payment rates for community respite <u>Appendix B</u> - Cost-of-doing-business categories
5123-9-23	01/01/2019	Home and community-based services waivers - environmental accessibility adaptations under the individual options and level one waivers <u>Appendix</u> - Billing unit, service codes, and payment rates for environmental accessibility adaptations
5123-9-24	02/01/2020	Home and community-based services waivers - transportation under the individual options, level one, and self-empowered life funding waivers <u>Appendix</u> - Billing unit, service codes, and payment rates for transportation
5123-9-25	01/01/2019	Home and community-based services waivers - specialized medical equipment and supplies under the individual options and level one waivers <u>Appendix</u> - Billing unit, service codes, and payment rates for specialized medical equipment and supplies

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5123:2-9-28	07/01/2017	Home and community-based services waivers - nutrition services under the individual options waiver <u>Appendix A</u> - Billing unit, service code, and payment rates for nutrition services <u>Appendix B</u> - Cost-of-doing-business categories
5123-9-29	01/01/2019	Home and community-based services waivers - home-delivered meals under the individual options and level one waivers <u>Appendix</u> - Billing unit, service codes, and payment rate for home-delivered meals
5123-9-30	01/01/2021	Home and community-based services waivers - homemaker/personal care under the individual options and level one waivers <u>Appendix A</u> - Billing units, service codes, and payment rates for homemaker/personal care <u>Appendix B</u> - Cost-of-doing-business categories
5123-9-31	11/19/2020	Home and community-based services waivers - homemaker/personal care daily billing unit for sites where individuals enrolled in the individual options waiver share services <u>Appendix</u> - Service codes for homemaker/personal care daily billing unit
5123-9-32	01/01/2021	Home and community-based services waivers - participant-directed homemaker/personal care under the individual options, level one, and self-empowered life funding waivers <u>Appendix</u> - Billing unit, service codes, and payment rates for participant-directed homemaker/personal care
5123-9-33	11/19/2020	Home and community-based services waivers - shared living under the individual options waiver <u>Appendix A</u> - Billing unit, service codes, and payment rates for shared living <u>Appendix B</u> - Cost-of-doing-business categories
5123-9-34	11/19/2020	Home and community-based services waivers - residential respite under the individual options, level one, and self-empowered life funding waivers <u>Appendix</u> - Billing unit, service codes, and payment rates for residential respite
5123-9-35	01/01/2019	Home and community-based services waivers - remote support under the individual options, level one, and self-empowered life funding waivers <u>Appendix</u> - Billing unit, service codes, and payment rates for remote support
5123:2-9-36	07/01/2017	Home and community-based services waivers - interpreter services under the individual options waiver <u>Appendix A</u> - Billing unit, service code, and payment rates for interpreter services <u>Appendix B</u> - Cost-of-doing-business categories
5123:2-9-37	02/15/2018	Home and community-based services waivers - waiver nursing delegation under the individual options, level one, and self-empowered life funding waivers <u>Appendix</u> - Billing units, procedure codes, and payment rates for waiver nursing delegation

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5123-9-39	11/19/2020	Home and community-based services waivers - waiver nursing services under the individual options waiver <u>Appendix</u> - Billing units, service codes, and payment rates for waiver nursing services
5123-9-40	01/01/2020	Home and community-based services waivers - administration of the self-empowered life funding waiver
5123-9-41	09/23/2018	Home and community-based services waivers - clinical/therapeutic intervention under the self-empowered life funding waiver <u>Appendix</u> - Billing units, service codes, and payment rates for clinical/therapeutic intervention
5123-9-43	09/23/2018	Home and community-based services waivers - functional behavioral assessment under the self-empowered life funding waiver <u>Appendix</u> - Billing unit, service code, and payment rate for functional behavioral assessment
5123-9-45	09/23/2018	Home and community-based services waivers - participant-directed goods and services under the self-empowered life funding waiver <u>Appendix</u> - Billing unit, service code, and payment rate for participant-directed goods and services
5123-9-46	09/23/2018	Home and community-based services waivers - participant/family stability assistance under the self-empowered life funding waiver <u>Appendix</u> - Billing units, service codes, and payment rates for participant/family stability assistance
5123-9-47	09/23/2018	Home and community-based services waivers - support brokerage under the self-empowered life funding waiver <u>Appendix</u> - Billing unit, service codes, and payment rates for support brokerage
5123-9-48	01/01/2019	Home and community-based services waivers - community transition under the individual options waiver <u>Appendix</u> - Billing unit, service code, and payment rate for community transition
<b>Chapter 5123-10 Early Intervention Program</b>		
5123-10-01	11/19/2020	Early intervention program - procedural safeguards
5123-10-02	11/19/2020	Early intervention program - eligibility and services <u>Appendix A</u> - Early intervention services <u>Appendix B</u> - Qualified personnel <u>Appendix C</u> - Physical and mental conditions with a high probability of resulting in a developmental delay
5123-10-03	11/19/2020	Early intervention program - system of payments
5123-10-04	07/01/2019	Early intervention program - credentials for early intervention service coordinators and early intervention service coordination supervisors
5123-10-05	07/01/2021	Early intervention program - developmental specialist certification



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<b>Chapter 5123-11 Access to Confidential Information</b>		
5123-11-01	09/17/2021	Access to confidential personal information maintained by the Ohio department of developmental disabilities
<b>Chapter 5123-12 Developmental Disabilities Council</b>		
5123-12-01	10/11/2020	Conducting meetings of the Ohio developmental disabilities council via interactive video conference or teleconference
<b>Chapter 5123-13 Trusts for Supplemental Services</b>		
5123-13-01	05/17/2020	Trusts for supplemental services
<b>Chapter 5123-14 Preadmission Screening and Resident Review for Nursing Facilities</b>		
5123-14-01	11/19/2020	Preadmission screening and resident review for nursing facility applicants and nursing facility residents with developmental disabilities
<b>Chapter 5123-15 Protective Services System</b>		
5123-15-01	12/16/2019	Protective services system for guardianship, trusteeship, protectorship, or conservatorship
<b>Chapters 5123-17 &amp; 5123:2-17 Resolution of Complaints; Major Unusual Incidents and Unusual Incidents; Abuser Registry</b>		
5123:2-17-01	01/18/2018	Administrative resolution of complaints involving the Ohio department of developmental disabilities
5123-17-02	11/19/2020	Addressing major unusual incidents and unusual incidents to ensure health, welfare, and continuous quality improvement <u>Appendix A</u> - Administrative investigation procedure for major unusual incidents in category A <u>Appendix B</u> - Administrative investigation procedure for major unusual incidents in category B <u>Appendix C</u> - Administrative investigation procedure for major unusual incidents in category C
5123-17-03	06/18/2020	Abuser registry