



## Ohio Revised Code

### Section 5126.45 Contract with provider of supported living.

Effective: September 15, 2014

Legislation: House Bill 483 - 130th General Assembly

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(A) A contract between a county board of developmental disabilities and a provider of supported living shall be in writing and shall be based on the individual service plan developed by the individual under section 5126.41 of the Revised Code. The plan may be submitted as an addendum to the contract. An individual receiving services pursuant to a contract shall be considered a third-party beneficiary to the contract.

(B) The contract shall be negotiated between the provider and the county board. The terms of the contract shall include at least the following:

- (1) The contract period and conditions for renewal;
- (2) The services to be provided pursuant to the individual service plan;
- (3) The rights and responsibilities of all parties to the contract;
- (4) The methods that will be used to evaluate the services delivered by the provider;
- (5) Procedures for contract modification that ensure all parties affected by the modification are involved and agree;
- (6) A process for resolving conflicts between individuals receiving services, the county board, and the provider, as applicable;
- (7) Procedures for the retention of applicable records;
- (8) Provisions for contract termination by any party involved that include requirements for an appropriate notice of intent to terminate the contract;



(9) Methods to be used to document services provided;

(10) Procedures for submitting reports required by the county board as a condition of receiving payment under the contract;

(11) The method and schedule the board will use to make payments to the provider and whether periodic payment adjustments will be made to the provider;

(12) Provisions for conducting fiscal reconciliations for payments made through methods other than a fee-for-service arrangement.

(C) Payments to the provider under a supported living contract must be determined by the county board to be reasonable in accordance with policies and procedures developed by the county board. Goods or services provided without charge to the provider shall not be included as expenditures of the provider.

(D) The county board shall establish procedures for reconciling expenditures and payments, other than those made under a fee-for-service arrangement, for the prior contract year when a contract is not renewed and shall reconcile expenditures and payments in accordance with these procedures.

(E) A provider or an entity with which the county board has entered into a shared funding agreement may seek resolution of grievances with the county board using the procedures established by the county board under section 5126.42 of the Revised Code.