



## Ohio Administrative Code

### Rule 173-39-02.23 ODA provider certification: out-of-home respite.

Effective: [May 1, 2024](#)

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(A) "Out-of-home respite" means the service defined in rule 5160-44-17 of the Administrative Code.

(B) Requirements for every ODA-certified provider of out-of-home respite:

(1) The provider is subject to rule 173-39-02 of the Administrative Code.

(2) The provider is subject to rule 5160-44-17 of the Administrative Code.

(3) If a conflict exists between a requirement in rule 173-39-02 of the Administrative Code and a requirement in rule 5160-44-17 of the Administrative Code, the provider shall comply with the requirement in rule 173-39-02 of the Administrative Code instead of the conflicting requirement in rule 5160-44-17 of the Administrative Code.

(C) Units and rates:

(1) For the PASSPORT program, a unit of out-of-home respite equals a unit of out-of-home respite that rule 5160-46-06 of the Administrative Code establishes for the Ohio home care waiver program.

(2) For the PASSPORT program, rule 5160-46-06 of the Administrative Code establishes the maximum-allowable rate for a unit of out-of-home respite.

(3) For the PASSPORT program, rule 5160-31-07 of the Administrative Code establishes rate-setting methodology for out-of-home respite.

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