



## Ohio Administrative Code

### Rule 173-3-06.3 Older Americans Act: home modification.

Effective: January 29, 2022

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(A) "Home modification" means a job modifying elements of the interior or exterior of a consumer's home to increase accessibility and enable the consumer to function with greater independence in the home.

(1) "Home modification" includes the assessment, materials, and labor involved in any of the following:

(a) A job to install grab bars or other devices to improve the consumer's ability to perform ADLs.

(b) A job to modify the interior or exterior of the consumer's home to improve the consumer's health and safety.

(c) A job to install a wheelchair ramp to a doorway or another modification to improve the consumer's accessibility.

(d) A job to repair or replace a home modification previously paid, in whole or in part, with Older Americans Act funds, if the previous modification cannot be repaired or replaced through another resource.

(2) "Home modification" does not include any of the following:

(a) A job another person (e.g., a landlord) has a legal or contractual responsibility to provide.

(b) A job available through Ohio medicaid state plan, a medicaid waiver program, or another government program, pursuant to 45 C.F.R. 1321.3.

(c) A job available through third-party insurers or a community support program.



- (d) A job that adds to the total square footage of the home.
  - (e) A job of general utility and not direct medical or remedial benefit to the consumer.
  - (f) A job to repair or replace a home modification previously paid, in whole or in part, with Older Americans Act funds, that is damaged as a result of apparent abuse, misuse, or negligence.
- (B) Requirements for every AAA-provider agreement for home modification paid, in whole or in part, with Older Americans Act funds:
- (1) General requirements: The AAA-provider agreement is subject to requirements in rule 173-3-06 of the Administrative Code for every AAA-provider agreement for home modification paid, in whole or in part, with Older Americans Act funds.
  - (2) Licensure or accreditation: If a job requires a license or credentials (e.g., an electrician, a HVAC specialist, a plumber), only a provider who possesses the current, valid license or credentials qualifies to provide the job.
  - (3) Authorization: Before providing a job, the provider shall do the following:
    - (a) Provide a written or electronic estimate to the AAA on the cost of the job.
    - (b) Obtain the AAA's written or electronic authorization to begin the job.
  - (4) Consent agreement: A provider shall not modify a home without first obtaining a written or electronic consent agreement from the homeowner (which may be the consumer, the consumer's family, or a landlord) authorizing the modification and acknowledging that the homeowner understands that the home will remain in the modified state until after the consumer leaves the home.
  - (5) Permits: Before beginning a job, the provider shall obtain any permit and pre-job inspections required by federal, state, and local laws.
  - (6) Health and safety: If the provider anticipates health or safety risks to the consumer during the job,



the provider shall inform the consumer and the AAA of the risks and provide the job on dates and times that minimize those risks.

(7) Warranty: The provider shall provide a warranty to the AAA covering the workmanship and materials involved in the job provided.

(8) Inspection: The provider shall obtain any necessary inspection, inspection report, or permit required by federal, state, and local laws or a homeowners' association to verify that the job was properly completed.

(9) Job verification: The provider shall verify each job provided for which it bills the AAA using the provider's choice of either an electronic or manual system that collects all the following information:

(a) Consumer's name.

(b) Date the job is completed.

(c) Job description.

(d) Name of each employee providing the job.

(e) Provider's signature.

(f) A unique identifier of the consumer or the consumer's caregiver. During a state of emergency declared by the governor or a federal public health emergency, the provider may verify each job provided without collecting the unique identifier.

(C) Units and rates:

(1) A unit of home modification is one completed job.

(2) The per-job rate is negotiable and subject to the approval of the AAA before the job is provided. It includes assessment, materials, and labor.