



## Ohio Administrative Code

### Rule 173-45-08 Long-term care consumer guide: regulatory survey data.

Effective: November 16, 2020

---

(A) Data to incorporate: ODA shall incorporate data derived from ODH's most recent survey of each facility in Ohio into the guide to allow the public to compare a facility to other facilities and to the statewide average. In doing so, ODA shall incorporate the following data into the guide:

- (1) The date of the facility's most recent survey.
- (2) Any non-compliance with regulatory requirements related to a facility's provision of care and services that ODH cites on all surveys at least ten or more times in the previous calendar year.
- (3) The number of the survey data tags ODH cited in the facility's most recent survey.
- (4) The statewide average number of survey data tags ODH cited on a survey.
- (5) The percentage of regulatory requirements each facility meets.
- (6) The statewide average percentage of the survey data tags for which all facilities were found to be in compliance during the most recent surveys.
- (7) The date each nursing facility achieved substantial compliance with medicare and medicaid certification requirements.
- (8) A notation if ODH determined, at any time during the previous eighteen months, that a nursing facility provided substandard care to its residents.
- (9) A notation if ODH determined, at any time during the previous eighteen months, that the care provided by a nursing facility placed its residents in immediate jeopardy or the care provided by the residential care facility placed its residents in real or present danger.



(10) The date ownership or management of the facility changed, if at all, since ODH's last survey of the facility.

(B) Links: ODA shall include the following links in the guide:

(1) A link that allows the public to view an explanation submitted to ODA by a facility whose ownership or management has changed since ODH's last survey of the significance of that change to its current survey results.

(2) A link that allows the public to view a current survey report, if available to ODA, and any plan of correction a nursing facility has filed with ODH that ODH has provided to ODA or that the facilities include in the guide.

(3) A link that allows the public to view the report of the most recent licensure inspection conducted by ODH for any facility that is licensed by ODH, but not certified for either medicare or medicaid, if the report is available to ODA.

(4) A link that provides facility visitation guidelines and suggestions.

(C) Peer grouping: In the guide, ODA shall group facilities by peer groups that correspond ODH's health districts. For each peer group, ODA shall display a peer-group average.

(D) Updates: ODA shall update, on a weekly basis, the data derived from ODH's surveys of nursing facilities and residential care facilities in Ohio, including licensure inspection reports for facilities not certified by medicare or medicaid, to the extent the updated information is available to ODA, and except as otherwise provided in this rule.

(E) Data retention: ODA shall retain four years of regulatory data for each facility in the guide.

(F) Disclaimer: ODA shall display the following disclaimer in the guide along with the display of data derived from surveys accompanied by ODH: "Surveys of facilities are conducted at periodic intervals. Conditions at a facility can change significantly between surveys and consumers considering admission are encouraged to visit any facility they are considering."



(G) Definitions: As used in this rule, "deficiency," "immediate jeopardy," "standard survey," and "substandard care" have the same meanings as in section 5165.60 of the Revised Code.