Ohio Administrative Code

Rule 173-9-05 Background checks for paid direct-care positions: conditional hiring.

Effective: February 1, 2026

(A) If the responsible party is an AAA, a PAA, an agency provider (including a PACE organization or a subcontractor), or a consumer (in the case of a hiring an applicant to be a participant-directed provider), the responsible party may conditionally hire an applicant for up to sixty days if the responsible party complies with all requirements and limitations under division (H) of section 173.38 of the Revised Code.

(B) Limited applicability:

(1) This rule does not establish a requirement for an employee who holds a paid direct-care position to enter a conditional status when undergoing a criminal records check.

(2) This rule does not authorize AGE to offer a conditional status to a self-employed applicant for certification as a non-agency provider.

(3) This rule does not authorize an AAA to offer a conditional status to a self-employed bidder on an AAA-provider agreement.