



## Ohio Administrative Code

### Rule 3301-103-08 Standards for Autism scholarship program direct services provided by virtual means.

Effective: December 5, 2024

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(A) "Services provided by virtual means" means direct services provided through the use of information and communication technology in real time by an individual holding the appropriate licensure or credential who is located at a site other than the site where the student is located.

(B) Registered private providers as defined in division (A)(7) of section 3310.41 of the Revised Code who are not a chartered nonpublic school and are registered to participate in the Autism scholarship program as established in Chapter 3310. of the Revised Code may offer services provided by virtual means.

(C) If the registered private provider supplies a student with a device necessary to facilitate the provision of services by virtual means under this paragraph, the provider will ensure the following conditions are met:

(1) The device includes a filtering device or filtering software that prevents access to inappropriate or obscene material online;

(2) The device is appropriate to the student's needs and the services provided by virtual means facilitate visual, face-to-face contact and interaction between the student and the registered private provider; and

(3) The availability of necessary technical support.

(D) Registered private providers will communicate the following to each student and the parent or guardian of the student prior to commencing services by virtual means:

(1) If the registered private provider supplies the device, instruction in the operation of the device and online access;



(2) Expectations for the student's attendance and participation, including the times and dates when services will be provided by virtual means; and

(3) An explanation of all applicable privacy laws including the Family Educational Rights and Privacy Act, 20 U.S.C.1232g, 34 CFR Part 99 and the Health Insurance Portability and Accountability Act of 1996, Pub. L. 104-191.

(E) Registered private providers may employ or contract with any individual listed in division (F) of section 3310.41 of the Revised Code to provide services by virtual means.

(F) Documentation and billing for services provided by virtual means will comply with program conditions established for the Autism scholarship program including the following:

(1) All registered private providers will document all services in point of service notes;

(2) All invoice amounts for services delivered by virtual means will be consistent with the fee schedule submitted by the registered private provider as part of their application submitted to the department of education and workforce; and

(3) Registered private providers will submit to the department invoices for services provided by virtual means within sixty days of the date of service.

(G) In cases of noncompliance with the provisions of this rule the department may call for a corrective action plan for registered private providers in lieu of removal from the Autism scholarship program.