



## Ohio Administrative Code

### Rule 3701-16-11 Resident life enrichment; finances; pets; laundry.

Effective: July 12, 2024

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(A) Each residential care facility is obligated to encourage residents to participate in social, recreational, and leisure activities. The residential care facility is obligated to, with consideration given to resident preferences, provide or arrange for varied activities of sufficient quantity so that residents' lives may be more meaningful, to stimulate physical and mental capabilities and to assist residents in attaining their optimal social, physical, and emotional well-being. The residential care facility is obligated to provide, at minimum, all of the following:

(1) One local daily newspaper either in digital or paper format, or current community activity brochures and advertisements;

(2) Information about activities in the community and the availability of transportation to community activities; and

(3) An opportunity for residents to engage in a variety of activities which may include, but are not limited to, internet, television, crafts, reading, or games.

(B) A residential care facility is not allowed to coerce, induce, or prompt a resident to assign, transfer, give, or sign over to the facility money, valuables, insurance benefits, property, or anything of value other than payment for services rendered by the facility. A residential care facility is not allowed to manage a resident's financial affairs unless authorized by the resident or a sponsor with power of attorney. Such authorization is obligated to be in writing and attested to by a witness who is not connected in any manner whatsoever with the residential care facility or its administrator. A facility that manages a resident's financial affairs is obligated to:

(1) Maintain accounts pursuant to division (A)(27)(b) of section 3721.13 of the Revised Code of resident funds and personal property or possessions deposited for safekeeping with the facility for use by the resident or resident's sponsor. The resident has the right to receive, upon written or oral request, an accounting statement of financial transactions made on the resident's behalf. This



statement is obligated to include a:

(a) Complete record of all funds, personal property, or possessions from any source whatsoever, that have been deposited for safekeeping with the facility for use by the resident or resident's sponsor; and

(b) Listing of all deposits and withdrawals transacted, substantiated by receipts that are available for inspection and copying by the resident or sponsor.

(2) Deposit the resident's funds in excess of one thousand dollars, and may deposit the resident's funds that are one thousand dollars or less, in an interest-bearing account separate from any of the facility's operating accounts. Interest earned on the resident's funds is obligated to be credited to the resident's account. A resident's funds that are one thousand dollars or less and have not been deposited in an interest-bearing account may be deposited in a noninterest-bearing account or petty cash fund.

(3) Purchase a surety bond or otherwise provide assurance satisfactory to the director to assure the security of all residents' funds managed by the facility.

(4) Upon the resident's transfer, discharge, or death, close all resident accounts, make a final accounting, and make provisions for the conveyance of any remaining funds to the resident or the resident's estate.

(5) Allow the resident access to their funds during normal bank business hours within the community.

(6) Not mandate that a resident allow the facility to manage the resident's financial affairs as a condition of admission to the facility.

(C) Neither the administrator of a residential care facility nor facility staff may serve as the guardian or attorney-in-fact of a resident unless related by blood, marriage, or adoption to that resident.

(D) Residents may keep pets if allowed by facility policy. If a residential care facility allows residents to keep animals or pets, or has facility pets, the facility is obligated to consult with a



veterinarian licensed to practice veterinary medicine under Chapter 4741. of the Revised Code, establish and implement a written protocol regarding animals and pets that protects the health and safety of residents and staff members. At minimum, the written protocol is obligated to include:

- (1) An annual physical examination, including an examination for internal and external parasites;
  - (2) Vaccinations for common infectious agents, including rabies;
  - (3) Any other preventive care necessary to protect the health, safety and rights of residents;
  - (4) Procedure to follow if an animal:
    - (a) Bites a person; or
    - (b) Becomes ill or injured;
  - (5) For resident pets, if the resident is transferred, discharged or otherwise unable to care for the pet, responsibilities for care of the pet until a family member or sponsor can retrieve the pet;
  - (6) In the case of a facility pet, the name of the designated member or members of the staff responsible for the care of the animal and for maintaining the protocol, including medical records for the animal; and
  - (7) An evaluation of the medical needs of residents.
- (E) The residential care facility is obligated to specify in the resident agreements established by rule 3701-16-07 of the Administrative Code what laundry services it provides. The residential care facility is obligated to launder or assist in arranging for the laundering of all clothing and bed and bath linen for residents who are in need of laundry services as described in the resident agreement. The facility may provide a washer and dryer in the home for residents' use or may provide residents with transportation to and from a laundromat.