



Ohio Administrative Code

Rule 3701-19-02 Applicability of licensure requirements.

Effective: January 23, 2020

(A) Every person or public agency that proposes to provide a hospice care program shall apply to the director for a license in accordance with rule 3701-19-02 of the Administrative Code.

(B) A hospital, nursing home, home for the aged, county medical care facility, or other health facility or agency that provides a hospice care program shall be licensed to provide a hospice care program under Chapter 3712. of the Revised Code and this chapter.

(C) A nursing home licensed under Chapter 3721. of the Revised Code that does not hold itself out to be a hospice, does not hold itself out as providing a hospice care program, does not use the term "hospice" to describe or refer to its activities or facilities, and that does not provide all of the services enumerated in division (A) of section 3712.01 of the Revised Code and paragraph (J) of rule 3701-19-01 of the Administrative Code is not subject to the licensing provisions of Chapter 3712. of the Revised Code and this chapter.

(D) No person or public agency, other than a person or public agency licensed under section 3712.04 of the Revised Code and this chapter, shall hold itself out as providing a hospice care program, or provide a hospice care program, or use the term "hospice" or any term containing "hospice" to describe or refer to a health program, facility, or agency.

(1) A hospital, a home providing nursing care, or a home health agency that provides services under contract with a person or public agency providing a hospice care program that is licensed under section 3712.04 of the Revised Code and this chapter shall not be considered as providing a hospice care program in violation of paragraph (D) of this rule.

(2) Paragraph (D) of this rule does not apply to the activities of regional, state, or national nonprofit organizations of which providers of hospice care programs, individuals interested in hospice care programs, or both are members and that do not provide or represent that they provide hospice care programs.



(3) As used in paragraph (D) of this rule, "person" does not include a member of an interdisciplinary team, as defined in paragraph (P) of rule 3701-19-01 of the Administrative Code, or any individual who is employed by a person or public agency licensed under section 3712.04 of the Revised Code and this chapter.