



Ohio Administrative Code

Rule 3701-60-03 Initial license application, application process, and renewal of license.

Effective: January 27, 2023

(A) The department of health accepts completed applications for licensure from a home health agency or nonagency provider seeking to provide skilled home health services. A complete application for a skilled home health services license includes:

(1) Completed application forms prescribed by the director;

(2) A non-refundable license fee of two hundred and fifty dollars in the form of a cashier's check or a postal money order payable to the "Treasurer, State of Ohio."

(3) Documentation providing evidence that the home health agency or nonagency provider meets one of the following:

(a) Is certified for participation in the medicare program;

(b) Is accredited by the accreditation commission for health care, the community health accreditation partner, the joint commission, or another national accreditation organization approved by the United States centers for medicare and medicaid services and recognized by the department pursuant to rules adopted under section 3740.10 of the Revised Code;

(c) Is certified by the department of aging under section 173.391 of the Revised Code to provide community-based long-term care services;

(d) If not certified or accredited per paragraphs (A)(3)(a), (A)(3)(b), or (A)(3)(c) of this rule, a notarized attestation signed by the owner or an individual with signature authority for the home health agency or nonagency provider, that the home health agency or nonagency provider otherwise meets medicare conditions of participation, even though not certified for participation in the medicare program.



(e) Documentation providing evidence of the following:

(i) The home health agency or nonagency provider was providing skilled home health services on or immediately prior to September 30, 2021; or

(ii) If the home health agency or nonagency provider was not providing skilled home health services immediately prior to September 30, 2021, a surety bond issued by a company licensed to do business in Ohio in the amount of fifty thousand dollars.

(f) The name, address, and business telephone number of the home health agency or nonagency provider operating location.

(g) The names and addresses of the persons having an ownership or a controlling interest in the home health agency and other information pertaining to ownership or control of the home health agency;

(h) The corporate name of the home health agency, if any, and the names, titles, addresses, and telephone numbers of its officers and statutory agent;

(i) A list of the skilled home health services that are provided or will be provided by the home health agency or nonagency provider; and

(j) A description of the geographic area in which the home health agency or nonagency provider provides or will provide services.

(k) If the applicant is a home health agency, a copy of the agency's criminal records check policy;

(B) The department of health accepts completed applications for licensure from a home health agency or nonagency provider seeking to provide nonmedical home health services. A complete application for a nonmedical home health services license includes:

(1) Completed forms prescribed by the director;

(2) A non-refundable license fee of two hundred and fifty dollars in the form of a cashier's check or a



postal money order payable to the "Treasurer, State of Ohio";

(3) Except as provided in paragraph (E) and (F) of this rule, a complete application for a nonmedical home health services license includes:

(a) The name, address, and business telephone number of the home health agency or nonagency provider operating location;

(b) The names and addresses of the persons having an ownership or a controlling interest in the home health agency and other information pertaining to ownership or control of the home health agency;

(c) The corporate name of the home health agency, if any, and the names, titles, addresses, and telephone numbers of its officers and statutory agent;

(d) A list of the nonmedical home health services which are or will be provided by the home health agency or nonagency provider and any policies and procedures related to those services, if applicable;

(e) Copies of all documents filed and recorded with the Ohio secretary of state;

(f) If the applicant for licensure is a nonagency provider, a notarized attestation verifying the identity of the nonagency provider;

(g) If the applicant for licensure is a home health agency, a copy of the home health agency's written criminal records check policy;

(h) A statement identifying the days and hours of operation for the applicant;

(i) A description of the geographic area to be served; and

(j) Fingerprint impressions of the primary owner of the home health agency or of the nonagency provider;



(k) Documentation providing evidence of the following:

(i) The agency or nonagency provider was providing nonmedical home health services on or immediately prior to September 30, 2021; or

(ii) If the applicant was not providing nonmedical home health services immediately prior to September 30, 2021, a surety bond issued by a company licensed to do business in Ohio in the amount of twenty thousand dollars.

(C) A home health agency or nonagency provider that holds a skilled home health services license issued under paragraph (A) of this rule may provide nonmedical home health services without obtaining a nonmedical home health services license.

(D) A home health agency operating in another state that seeks to provide services to patients in Ohio will need to establish an administrative office in Ohio prior to submitting an application for licensure under paragraphs (A) or (B) of this rule and comply with the rules set forth in Chapter 3701-60 of the Administrative Code in order to obtain a license. All Ohio patients' clinical records are to be maintained at the home health agency's Ohio administrative office.

(E) Items identified in subparagraphs (B)(3)(d) to (B)(3)(k) of this rule are waived if the provider submits evidence that they are certified by the department of aging under section 173.391 of the Revised Code to provide community-based long-term care services.

(F) Items identified in subparagraphs (B)(3)(d) to (B)(3)(i) of this rule are waived if the provider submits evidence that they are accredited by the accreditation commission for health care, the community health accreditation partner, the joint commission, or another national accreditation organization approved by the United States centers for medicare and medicaid services and recognized by the department pursuant to rules adopted under section 3740.10 of the Revised Code;

(G) When reviewing a license application, the director may request additional information to determine compliance with Chapter 3740. of the Revised Code and this chapter. To be included in a complete application, the applicant for licensure is obliged to furnish any requested information within fourteen days after the mailing date of the director's request.



(H) An application for license renewal is considered timely when it is made at least ninety days prior to the expiration of the license and includes:

(1) In the same manner as application for the initial license, a complete application and renewal fee in accordance with paragraphs (A) or (B) of this rule.

(2) An application for license renewal will be approved if the program continues to meet the requirements of Chapter 3740. of the Revised Code and Chapter 3701-60 of the Administrative Code. If the program does not meet the requirements for licensure, the director may deny renewal of the license, in accordance with Chapter 119. of the Revised Code.

(I) A written notice to the director is required within ten days for the following reasons:

(1) Any change in the information specified in the license application under paragraphs (A)(3) or (B)(3) of this rule; or

(2) Any other change that would render the information submitted in the license application inaccurate.

(J) Except as provided in section 3740.07 of the Revised Code, a license issued under section 3740.04 of the Revised Code is valid for three years. The department of health may adjust an initial license renewal date to align renewal of a license issued under this chapter with the renewal of a certification or accreditation identified in paragraphs (A)(3)(a) to (A)(3)(c) of this rule.