



Ohio Administrative Code

Rule 5122-36-04 Responsibilities of the living arrangement.

Effective: July 15, 2017

Each living arrangement housing a RSS resident shall:

- (A) Accept the allowable fee in rule 5122-36-05 of the Administrative Code as payment in full for all accommodations, supervision, and personal care services the living arrangement provides to the RSS resident. The living arrangement shall not request additional payment for these services from the resident, the resident's family, or any other local, state, or federal agency.
- (B) Provide OhioMHAS or its designee with access to any RSS resident's records.
- (C) Allow each resident to meet privately with OhioMHAS or its designee.
- (D) Notify OhioMHAS or its designee before transferring or discharging a resident to another living arrangement.
- (E) Notify OhioMHAS or its designee of any significant changes in the resident's status that might affect the resident's needs.
- (F) Not act as legal guardian or power of attorney for any resident unless appointed guardian or named power of attorney before July 1, 2000. However, the living arrangement may act as a resident's authorized representative.
- (G) Not act as a representative payee for the purposes of RSS benefits.
- (H) Maintain licensure as required by division (D)(1) of section 5119.41 of the Revised Code.
- (I) Respond to and cooperate with OhioMHAS quarterly RSS resident verification surveys.
- (J) Return any RSS payment that it receives for a resident who was disenrolled from the program or



left the living arrangement before the beginning of the month for which the payment was made.

(K) Give a prorated portion of any RSS payment to a resident who finds it necessary to leave the living arrangement due to extenuating circumstances before the end of the month for which the payment was made. The living arrangement shall pay even if the resident fails to give the minimum notice of departure that an admissions agreement or other contract between the living arrangement and the resident requires. Examples of extenuating circumstances include:

(1) The living arrangement cannot provide the level of care that the resident's mental, emotional, or physical condition requires;

(2) The health, safety, or welfare of the resident or any other person residing in the living arrangement requires a transfer or discharge;

(3) The living arrangement no longer has a current, valid license or certification; or,

(4) The living arrangement goes out of business.

(L) Permit each resident to have daily access to his or her personal funds during regularly-scheduled office hours, as specified in a posted notice that is available to each resident.

(M) Have each resident sign receipts for all funds exchanged between the resident and the living arrangement including payment for care, spending money, and any purchases the living arrangement makes on the resident's behalf. Additionally, the living arrangement shall provide each resident with a quarterly itemized account statement, and, if the resident gives permission to do so, the living arrangement shall provide ODMH's designee with this statement.

(N) Provide transportation for each resident as needed. If the living arrangement provides transportation for a charge to the resident, the living arrangement shall provide the resident with complete information regarding the living arrangement's transportation policy, including information concerning costs, and other transportation options available to the resident.

(O) Refrain from charging a resident more than the usual and customary rate for furnishing



transportation or purchasing items.

(P) Provide for the resident's needs, as determined by ODMH's designee. If the living arrangement cannot meet the resident's needs, it shall cooperate with ODMH's designee to relocate the resident to a living arrangement that can meet the resident's needs.