



Ohio Administrative Code

Rule 5123-9-23 Home and community-based services waivers - environmental accessibility adaptations under the individual options and level one waivers.

Effective: July 1, 2026

(A) Purpose

This rule defines environmental accessibility adaptations and sets forth provider qualifications, requirements for service delivery and documentation of services, and payment standards for the service.

(B) Definitions

For the purposes of this rule, the following definitions apply:

- (1) "Agency provider" means an entity that directly employs at least one person in addition to a director of operations for the purpose of providing services for which the entity is certified in accordance with rule 5123-2-08 of the Administrative Code.
- (2) "County board" means a county board of developmental disabilities.
- (3) "Department" means the Ohio department of developmental disabilities.
- (4) "Environmental accessibility adaptations" means physical modifications to the inside or outside of an individual's home (e.g., installation of ramps or grab-bars, widening of doorways, modification of bathroom facilities, or installation of specialized electrical systems to operate an individual's medical equipment).
 - (a) The physical modification to the individual's home must be:
 - (i) Determined by the individual's team necessary to:
 - (a) Support the individual to reside in a community-based setting; and
 - (b) Either:
 - (i) Ensure the health, welfare, and safety of the individual; or
 - (ii) Enable the individual to function with greater independence while at home.
 - (ii) Identified in the individual service plan.
 - (iii) Completed in accordance with applicable state and local building codes.
 - (b) "Environmental accessibility adaptations" includes repair of previously approved environmental accessibility adaptations funded by the



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individual's waiver when repair is more cost effective than replacement and the repair is not necessary as a result of apparent misuse, abuse, or negligence.

(c) "Environmental accessibility adaptations" does not include:

(i) Modifications to the home that:

(a) Add to the total square footage of the home;

(b) Are a typical homeowner's responsibility (e.g., complying with a local building code);

(c) Are of general utility (i.e., not specifically related to the individual's disability and assessed needs); or

(d) Are not of direct medical or remedial benefit to the individual (e.g., roof repair or central air conditioning).

(ii) Modifications to a residential facility.

(iii) Construction of a new home or an addition to a home (i.e., building walls where no walls exist).

(iv) Repair or replacement of previously approved environmental accessibility adaptations damaged as a result of apparent misuse, abuse, or negligence.

(v) Restoring a home to its prior state (i.e., as it existed prior to installation of environmental accessibility adaptations).

(5) "Home and community-based services" has the same meaning as in section 5123.01 of the Revised Code.

(6) "Independent provider" means a self-employed person who provides services for which the person is certified in accordance with rule 5123-2-09 of the Administrative Code and does not employ, either directly or through contract, anyone else to provide the services.

(7) "Individual" means a person with a developmental disability or for purposes of giving, refusing to give, or withdrawing consent for services, the person's guardian in accordance with section 5126.043 of the Revised Code or other person authorized to give consent.



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- (8) "Individual service plan" means the written description of services, supports, and activities to be provided to an individual.
- (9) "Residential facility" has the same meaning as in section 5123.19 of the Revised Code.
- (10) "Service and support administrator" means a person, regardless of title, employed by or under contract with a county board to perform the functions of service and support administration and who holds the appropriate certification in accordance with rule 5123-5-02 of the Administrative Code.
- (11) "Service documentation" means all records and information on one or more documents that:
 - (a) Are created and maintained as services are delivered, and completed prior to billing for services;
 - (b) Are kept in a manner that fully discloses the nature and extent of services delivered;
 - (c) Include items delineated in paragraph (E) of this rule; and
 - (d) May be created or maintained in electronic software programs.
- (12) "Team" means an individual and the group of persons chosen by the individual with the core responsibility to support the individual in directing development of the individual service plan. The team includes the service and support administrator and as applicable, the individual's guardian or adult whom the individual has identified, providers, direct support professionals, licensed or certified professionals, and any other persons chosen by the individual to help the individual consider possibilities and make decisions.
- (13) "Waiver eligibility span" means the twelve-month period following either an individual's initial waiver enrollment date or a subsequent eligibility redetermination date.

(C) Provider qualifications

- (1) Environmental accessibility adaptations will be provided by an independent provider or an agency provider that meets the requirements of this rule and that has a medicaid provider agreement with the Ohio department of medicaid. In accordance with paragraph (B)(6) of this rule, an independent provider may not employ, either directly or through contract, anyone else to provide the services.



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(2) An applicant seeking approval to provide environmental accessibility adaptations will:

- (a) Complete and submit an application and adhere to the requirements of as applicable, rule 5123-2-08 or 5123-2-09 of the Administrative Code.
- (b) Submit documentation demonstrating the applicant's experience in making physical modifications to the inside or outside of residential dwellings.
- (c) Attest that the applicant will complete environmental accessibility adaptations in accordance with applicable state and local building codes.

(D) Requirements for service delivery

- (1) Environmental accessibility adaptations will be provided pursuant to an individual service plan that conforms to the requirements of rule 5123-4-02 of the Administrative Code.
- (2) An individual's need for environmental accessibility adaptations will be identified through an assessment conducted in person at the individual's home by a qualified professional (e.g., occupational therapist or physical therapist) acting within the scope of practice.
- (3) A provider of environmental accessibility adaptations will comply with all applicable state and local regulations that apply to the operation of the provider's business or trade.
- (4) Whenever possible, an individual's service and support administrator will secure at least two bids from department-certified providers of environmental accessibility adaptations that meet the individual's needs as identified in the assessment described in paragraph (D)(2) of this rule.
- (5) A bid submitted by a provider of environmental accessibility adaptations will include:
 - (a) An itemized quote of the physical modification to be made including a description of each component of the project (such as demolition, permit fees, installation of new materials, cleanup, and debris removal), specific materials (such as brand name and item number) to be installed, and associated costs for materials and labor.
 - (b) A detailed scale drawing depicting the physical modification to be made.
 - (c) A timeline with anticipated dates for starting and completing the project.



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- (d) Documentation demonstrating the provider is bonded, licensed, and/or insured for the nature of work to be performed.
- (e) A description of any warranties of materials or labor.
- (6) The individual and the individual's team will evaluate the bids to identify the lowest cost alternative available that meets the individual's assessed needs.
- (7) When an individual is moving from an institutional setting, environmental accessibility adaptations may be authorized for up to one hundred eighty calendar days prior to the date on which the individual enrolls in the individual options, level one, or self-empowered life funding waiver. Environmental accessibility adaptations begun while the individual is living in the institutional setting are not considered complete and the service may not be billed until the date the individual leaves the institution and enrolls in the waiver.

(E) Documentation of services

Service documentation for environmental accessibility adaptations will include each of the following to validate payment for home and community-based services:

- (1) Type of service.
- (2) Date of service.
- (3) Place of service.
- (4) Name of individual receiving service.
- (5) Medicaid identification number of individual receiving service.
- (6) Name of provider.
- (7) Provider identifier/contract number.
- (8) Description and details of the services delivered that directly relate to the services specified in the approved individual service plan as the services to be provided.
- (9) Written or electronic signature of the person delivering the service, or initials of the person delivering the service if a signature and corresponding initials are on file with the provider.

(F) Payment standards



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- (1) The billing unit, service codes, and payment rate for environmental accessibility adaptations are contained in the appendix to this rule.
- (2) Completion of environmental accessibility adaptations must fall within the authorized waiver eligibility span.
- (3) Claims for payment for environmental accessibility adaptations will be submitted to the department after:
 - (a) The individual has confirmed that authorized work was completed.
 - (b) The county board has verified, in the format prescribed by the department, that the project meets the requirements specified in the approved individual service plan, required inspections were completed, and the project is in compliance with applicable state and local requirements.
 - (c) The individual's service and support administrator has released the authorized payment in the payment authorization for waiver services system.
- (4) Payment for environmental accessibility adaptations will not exceed fifteen thousand dollars per project unless the county board documents the need for an exception in accordance with paragraph (F)(5) of this rule.
- (5) When the cost of needed environmental accessibility adaptations exceeds fifteen thousand dollars per project, the department and the county board will collaborate with the individual and the individual's team to ensure the individual's health and welfare needs are met either through waiver funding or non-medicaid funds. When waiver funding is necessary, the county board will submit documentation to the department establishing how the project will ensure the individual's health and welfare.