



Ohio Administrative Code

Rule 5160-3-06 Criteria for the protective level of care.

Effective: July 1, 2025

(A) The criteria for the protective level of care is met when:

(1) The individual's needs for long-term services and supports (LTSS) are less than the criteria for the intermediate or skilled levels of care, as described in paragraphs (A)(4), (B), and (C) of rule 5160-3-08 of the Administrative Code.

(2) The individual's LTSS needs are less than the criteria for the developmental disabilities level of care, as defined in rule 5123-8-01 of the Administrative Code.

(3) The individual has a need for:

(a) Less than twenty-four hour support in order to prevent harm due to a cognitive impairment, as diagnosed by a physician or other licensed health professional acting within his or her applicable scope of practice, as defined by law; or

(b) Supervision of one activity of daily living (ADL), as defined in rule 5160-3-05 of the Administrative Code and as described in paragraph (B) of this rule, or supervision of medication administration; and

(c) Assistance with three instrumental activities of daily living (IADL), as defined in rule 5160-3-05 of the Administrative Code and as described in paragraph (C) of this rule.

(d) If the individual is age seventeen years or younger, the age-appropriate need for supervision or assistance with items described in paragraphs (A)(3)(b) and (A)(4)(c) of this rule will be assessed in accordance with the ODM-approved assessment guide.

(B) For the purposes of meeting the criteria described in paragraph (A)(3) of this rule, an individual age eighteen years or older who needs supervision of an ADL needs:



(1) Supervision of mobility in at least one of the following three components:

(a) Bed mobility;

(b) Locomotion; or

(c) Transfer.

(2) Supervision of bathing.

(3) Supervision of grooming in all of the following three components:

(a) Oral hygiene;

(b) Hair care; and

(c) Nail care.

(4) Supervision of toileting in at least one of the following four components:

(a) Using a commode, bedpan, or urinal;

(b) Changing incontinence supplies or feminine hygiene products;

(c) Cleansing self; or

(d) Managing an ostomy or catheter.

(5) Supervision of dressing in at least one of the following two components:

(a) Putting on and taking off an item of clothing or prosthesis; or



(b) Fastening and unfastening an item of clothing or prosthesis.

(6) Supervision of eating.

(C) For the purposes of meeting the criteria described in paragraph (A)(3) of this rule, an individual age eighteen years or older who needs assistance with an IADL needs:

(1) Assistance with meal preparation.

(2) Assistance with environmental management in all of the following three components:

(a) Heavy chores;

(b) House cleaning; and

(c) Yard work or maintenance.

(3) Assistance with personal laundry.

(4) Assistance with community access in at least one of the following three components:

(a) Accessing transportation;

(b) Handling finances; or

(c) Telephoning.

(5) Assistance with shopping.