



Ohio Administrative Code

Rule 5160-35-02 Qualifications to be a medicaid school program (MSP) provider.

Effective: July 1, 2020

(A) The purpose of this rule is to set forth the qualifications to become a medicaid school program provider (MSP) and requirements to be followed by an MSP provider.

(B) An MSP provider:

(1) Is one of the following:

(a) A local education agency (LEA) city school district, local school district, exempted village school district, or any other school district as defined in sections 3311.01 to 3111.05 of the Revised Code;

(b) A state school for the deaf as defined by section 3325.01 of the Revised Code;

(c) A state school for the blind as defined by section 3325.01 of the Revised Code;

(d) A community school as defined by Chapter 3314. of the Revised Code.

(2) Will obtain and maintain a current valid medicaid provider agreement in accordance with rule 5160-1-17.2 of the Administrative Code.

(3) Will employ or contract for at least one of the following:

(a) Occupational therapist who holds a current, valid license to practice occupational therapy issued under Chapter 4755. of the Revised Code.

(b) Physical therapist who holds a current, valid license to practice physical therapy issued under Chapter 4755. of the Revised Code.

(c) Speech-language pathologist who holds a current, valid license to practice speech-language



pathology issued under Chapter 4753. of the Revised Code.

(d) Audiologist who holds a current, valid license to practice audiology issued under Chapter 4753. of the Revised Code.

(e) Licensed clinical counselor or licensed counselor who holds a current, valid license to practice professional counseling issued under Chapter 4757. of the Revised Code.

(f) Licensed psychologist or licensed school psychologist who holds a current, valid license to practice psychology or school psychology issued under Chapter 4732. of the Revised Code or under rule 3301-24-05 of the Administrative Code.

(g) Licensed independent social worker or social worker who holds a current, valid license to practice social work issued under Chapter 4757. of the Revised Code.

(h) Licensed registered nurse who holds a current, valid license to practice nursing issued under Chapter 4723. of the Revised Code.

(C) An MSP provider will ensure all employees and contractors who have in-person or virtual contact with consumers for the provision of face-to-face or telehealth services undergo and successfully complete criminal records checks pursuant to rules adopted under section 5164.34 of the Revised Code.

(D) An MSP provider is obligated to provide services in accordance with rules 5160-35-05 and 5160-35-06 of the Administrative Code.

(E) An MSP provider is obligated to submit claims in accordance with rule 5160-35-04 of the Administrative Code to receive reimbursement for the provision of services.

(F) An MSP provider is obligated to comply with the following for cost reporting and cost reconciliation purposes:

(1) Participate in all random moment time studies (RMTS) RMTS are designed to document the



level of effort of MSP providers on a state-wide basis in compliance with the applicable RMTS guide provided by the Ohio department of education (ODE).

(2) Submit the federal child count of special education students included as a part of the total student count defined in section 3301.011 of the Revised Code.

(3) Prepare a cost report in accordance with paragraph (K)(2) of rule 5160-35-04 of the Administrative Code.

(4) Contract with an independent certified public accountant or firm to perform an agreed upon procedures review of the cost report and to document adjustments to the cost report, in accordance with paragraph (K)(2) of rule 5160-35-04 of the Administrative Code.

(5) Adhere to all applicable rules, including, but not limited to 45 C.F.R. 92, dated December 24, 2013, Revised Code, Administrative Code, "CMS Publication 15-1" (found at www.cms.gov/manuals), and provisions outlined in the cost report instructions.