



## Ohio Administrative Code

### Rule 5160-46-12 Ohio home care waiver: adult day health center service.

Effective: [September 22, 2025](#)

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This rule sets forth the definition of the adult day health center service as well as the provider requirements and specifications for the delivery of the service. Providers are also subject to the conditions of participation set forth in rule 5160-44-31 of the Administrative Code. Services are reimbursed in accordance with rule 5160-46-06 of the Administrative Code.

(A) "Adult day health center services (ADHCS)" are regularly scheduled services delivered at an adult day health center to individuals who are age eighteen years or older. A qualifying adult day health center will be a freestanding building or a space within a building that is not a private residence and will not be used for other purposes during the provision of ADHCS.

(1) An adult day health center will provide:

(a) Waiver nursing services as set forth in rule 5160-44-22 of the Administrative Code or personal care aide services as set forth in rule 5160-46-04 of the Administrative Code;

(b) Recreational and educational activities; and

(c) At least one meal, but no more than two meals, per day that meet the individual's dietary needs.

(2) An adult day health center may also provide:

(a) Skilled therapy services as set forth in rule 5160-12-01 of the Administrative Code; and

(b) Transportation of the individual to and from ADHCS. The ADHCS will ensure the following for all vehicles used for transportation:

(i) Maintain a daily vehicle inspection log.



(ii) Ensure a fire extinguisher is in each vehicle.

(iii) Ensure potentially harmful items (such as lighters, sharp objects, etc.) are not left in vehicles.

(3) ADHCS are reimbursable at a full-day rate when five or more hours are provided to an individual in a day. ADHCS are reimbursable at a half-day rate when less than five hours are provided in a day.

(4) Services set forth in paragraphs (A)(1) and (A)(2) of this rule and delivered by an adult day health center will not be reimbursed as separate services.

(B) ADHCS do not include services performed in excess of what is approved pursuant to, and specified on, the individual's person-centered services plan (PCSP).

(C) Providers of ADHCS will operate the adult day health center in compliance with all federal, state, and local laws, rules, and regulations.

(D) All providers of ADHCS will:

(1) Comply with federal nondiscrimination regulations set forth in 45 C.F.R. part 80 (as in effect on October 1, 2024).

(2) Maintain a minimum of one million dollars in commercial liability insurance, which includes coverage for individual's losses due to theft or property damage and a written procedure identifying the steps an individual takes to file a liability claim.

(3) Maintain evidence of non-licensed direct care staff's completion of twelve hours of in-service training every twelve months.

(4) Ensure that any waiver nursing services provided are within the nurse's scope of practice set forth in rule 5160-44-22 of the Administrative Code.

(5) Provide task-based instruction to direct care staff providing personal care aide services set forth in rule 5160-46-04 of the Administrative Code.



- (6) At all times, maintain a minimum of a one to six ratio of paid direct care staff to individuals.
- (7) Maintain working fire pull stations, fire extinguishers, smoke detectors, and carbon monoxide detectors on each level of the building. Smoke detectors will be tested at least monthly. Fire extinguishers will be serviced at least annually. The provider will maintain documentation which demonstrates testing and service was performed.
- (8) Store all cleaning supplies, flammables, combustible, and other potentially hazardous chemicals in a secured location away from furnace, hot water heater, open flame, or food.
- (9) Store potentially harmful items (such as tools, knives, etc.), medications, and medical waste disposable bins in a secured location inaccessible to individuals.
- (10) Maintain sufficient environmental conditions to ensure the safety of individuals served, including electrical systems and wiring, heating and cooling systems, private well and sewer systems, and secured access to mechanical rooms. All damage to walls, ceilings, windows, doors, and screens which could present a health and safety risk should be promptly repaired.
- (11) Maintain an emergency preparedness plan to be used in instances of weather-related (i.e. tornado), fire, and other emergencies. The plan includes a pre-determined tornado shelter area and evacuation site. Ad hoc emergency drills will be conducted at least quarterly, with no more than ninety days between drills. Documentation of the drills, the date, and type will be maintained by the provider. Emergency exits will be readily accessible and unobstructed.
- (12) Maintain an elopement policy describing actions of staff responsibilities, including notification to law enforcement in the event of an elopement.
- (13) Provide the individual with phone access in a private space.
- (14) Maintain evidence of passing a fire inspection completed by the local or state fire marshal.
- (a) New service providers as of July 1, 2025: upon application to become an ADHCS service



provider.

(b) Current service providers as of July 1, 2025: no later than December 31, 2025 and at least annually, with no more than three hundred sixty-five days between inspections thereafter.

(15) Publicly display the building floor plan displaying the location of fire extinguishers and emergency exits.

(16) Maintain a smoking policy.

(17) Adhere to criteria set forth in paragraph (C) of rule 5160-46-10 of the Administrative Code when providing transportation to individuals.

(E) Providers of ADHCS will maintain a clinical record for each individual served in a manner that protects the confidentiality of these records. At a minimum, the clinical record will contain the following:

(1) Identifying information for the individual including but not limited to name, address, age, date of birth, phone number(s), and health insurance identification numbers.

(2) The medical history of the individual.

(3) The name of the individual's treating physician.

(4) A copy of the initial and all subsequent all service plans.

(5) A copy of any advance directive including, but not limited to, do not resuscitate (DNR) order or medical power of attorney, if they exist.

(6) Documentation of all drug and food interactions, allergies, and dietary restrictions.

(7) Documentation that clearly shows the date of ADHCS delivery, including authorized tasks performed or not performed, and the individual's arrival and departure times.



(8) A discharge summary, signed and dated by the departing ADHCS provider, at the point the individual no longer needs ADHCS. The summary should include documentation regarding progress made toward goal achievement and indicate any recommended follow-ups or referrals.

(9) Documentation of the information set forth in rule 5160-44-22 of the Administrative Code when the individual is provided waiver nursing or skilled therapy services, or both.

(F) Adult day health center services will be provided in accordance with the individual's person-centered services plan.