



## Ohio Administrative Code Rule 5907-5-01 Resident Assessment.

Effective: July 4, 2024

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(A) Resident Assessment. Each resident is responsible for a portion of the cost incurred in their care, which will be referred to as the resident assessment. The assessment of each resident will be determined by their income.

(1) For the purpose of these rules, income will include:

- (a) Earnings,
- (b) Interest income,
- (c) Benefit payments from long-term care insurance plans,
- (d) Dividends,
- (e) Social Security,
- (f) Railroad retirement, and
- (g) Other pension or retirement benefits

(2) For purposes of this rule, income does not include;

- (a) Earnings received as part of the incentive therapy program. These earnings will be assessed pursuant to paragraph (C)(1)(c).
- (b) Any funds received by a resident through the aid and attendance or housebound program of the department of veterans affairs. These funds will be paid entirely to the Ohio veterans' homes.



(B) Resident Allowance. Each resident will retain a portion of their income, which will be referred to as the resident allowance.

(1) As of July 1, 2024, the resident allowance will be \$300.00 per month.

(2) In each following year, the current year's allowance will be used as the base rate for the resident allowance. The Director of Veteran Services may adjust the maximum assessment. If the maximum assessment is adjusted, the resident allowance will be adjusted by the same percentage.

(C) Calculation of the Resident Assessment.

(1) Domiciliary residents will be assessed as follows:

(a) 50% of any income received between the resident allowance established that year up to \$499.99.

(b) 75% of any income received in excess of \$500.00.

(c) Any earnings received for pay as part of the incentive therapy program or housebound program of the department of veterans affairs shall be assessed at the rate of 20% of the gross pay earned.

(2) Nursing home residents will be assessed the maximum assessment on any income greater than the resident allowance established that year.

(D) Collection of the Resident Assessment. Collection of the resident assessments will be subject to the following:

(1) Residents will be assessed on a daily rate during the months of admission or discharge. A resident transferred from or to a different authorized level of care will be assessed at the rate applicable to the level of care received effective on the date of the transfer. The daily rate will be determined by dividing the monthly assessment rate by the number of days in the month. Commencing the first month following admission, the resident will be assessed monthly.

(2) Residents may be granted approved absence at the discretion of the superintendent. Regular



monthly assessment will be due during all approved absences.

(3) Any amount paid by a resident to procure and maintain hospitalization or medical insurance coverage for themselves, or their bona fide dependents will be excluded from monthly income to calculate the resident assessment.

(4) Any funds received by a resident for services in the manufacture of poppies for distribution by veterans' organizations will be excluded from monthly income to calculate the resident assessment.

(E) Payment of the Resident Assessment. Residents will make payment to the Ohio veterans' home for assessment as follows:

(1) The resident assessment is paid between the first and tenth day of each month.

(2) Payment for the month of admission is made within ten days of the date of admission.

(3) Any assessment unpaid by the close of business on the tenth of each month, or the close of business on the first business day after the tenth, if the tenth should fall on a Saturday, Sunday, or legal holiday, is subject to a penalty of ten per cent of the balance due or twenty-five dollars, whichever is less. This penalty applies to the first monthly assessment if not paid within ten days of admission and to assessments due based on income earned from the incentive therapy program or housebound program of the department of veterans affairs. The penalty may be waived under circumstances deemed acceptable by the superintendent of the Ohio veterans' homes.

(F) Any resident determined by the department of veterans' affairs to be ineligible to collect per diem grant reimbursement for days of care provided that resident may be required to pay, in addition to the fees established in section 5907.13 of the Revised Code, and subject to paragraph (E)(3)(b) of this rule, an amount equal to the rate of per diem paid by the United States department of veterans' affairs for the level of care provided to the resident. Said fee is collected and distributed in the same manner as the fees noted in section 5907.13 of the Revised Code.