



Ohio Administrative Code Rule 5907-5-01 Resident assessment.

Effective: January 15, 2026

(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 this chapter, 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) of this rule.
- (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 three hundred dollars 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 up to the maximum assessment rate as follows:

(a) Fifty per cent of any income received between the resident allowance established that year up to four hundred ninety-nine dollars and ninety-nine cents.

(b) Seventy-five per cent of any income received in excess of five hundred dollars.

(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 twenty per cent of the gross pay earned.

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

(3) Financial and Indigency Adjustments. Residents for whose care the Ohio veterans' homes receive per diem payments from the U.S. Department of Veteran Affairs may be determined eligible for financial adjustments subject to the following:

(a) Adjustments may be made for co-payments for services provided to residents that are covered by Medicare Parts A or B, or for the costs of medical services provided to residents who may not be eligible for Medicare.



(b) Determination of full or partial financial adjustments will be based on a resident's ability to pay and will not be denied based on race, color, religion, national origin, sex, disability, familial status, and age.

(c) Proof of income shall be required to consider financial adjustments. Residents will submit all relevant financial information, including but not limited to income tax returns, bank statements, pension statements, Social Security benefit statements to be considered for a financial adjustment.

(d) All other alternative means of payment (e.g. government and commercial insurance payments, third party payments, etc.) will be exhausted prior to application for a financial adjustment.

(e) Financial adjustments are only available to residents with an annual income, after deduction of the assessment, of 150% of the federal poverty guidelines or less. Costs, including co-payments, for services provided by the Ohio veterans' homes to residents whose income falls within the applicable guidelines will be adjusted as follows:

Income	Percentage of cost paid by resident
100% of FPG	0%
101% -125%	25%
126% - 150% of FPG	50%
151% of FPG	100%

(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 resident supporting bona fide dependents shall be entitled to exclusions as follows:

(a) Any resident who has a spouse or who is providing support to a person determined to be a bona fide dependent shall have fifty per cent of his/her income excluded from the computation of assessment as provided in this rule.

(b) Any resident supporting two bona fide dependents shall have sixty-five per cent of his/her income excluded from the computation of assessment as provided in this rule.

(c) Any resident supporting three or more bona fide dependents shall have seventy-five per cent of his/her income excluded from the computation of assessment as provided in this rule.

(d) If a spouse or bona fide dependent suffers undue hardship resulting from the assessment provided by this rule, a financial adjustment may be granted by the Superintendent of the Ohio veterans' home agency upon application and receipt of documentation demonstrating financial hardship pursuant to paragraph (C)(3).

(5) 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, may be subject to a penalty of twenty-five dollars. .

(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, and subject to paragraph

(E) 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.