

173-40-04

~~Eligibility for PASSPORT loss of medicaid eligibility~~  
Loss-of-medicaid-eligibility home care status.

- (A) Beginning on July 1, 1990, any applicant for the PASSPORT home and community-based services HCBS program who was not enrolled in a PASSPORT home care program at the time of the ~~applicant's PASSPORT home and community-based services program application~~ applicant applied for the PASSPORT HCBS program, and who is presumed by the PAA staff to be eligible for PASSPORT ~~home and community-based services~~ HCBS program, but who is subsequently denied enrollment in or loses disenrolled from the PASSPORT home and community-based services HCBS program eligibility, shall be transferred to ~~loss of medicaid eligibility~~ loss-of-medicaid-eligibility status only when, in the ~~judgement~~judgment of the PAA, such a transfer is temporarily necessary to protect the health and safety of the consumer until alternative services can be arranged. No person on ~~loss of medicaid eligibility~~ loss-of-medicaid-eligibility status may continue to receive PASSPORT home care services for more than ~~ninety~~ sixty days unless ~~otherwise authorized by the PASSPORT site manager~~ the person has appealed the action resulting in the denial or loss of medicaid eligibility status; in which case, the PAA staff shall do the following:
- (1) ~~Offer transition planning services to~~ Assist the consumer in order to responsibly transfer the consumer to traditional community-based long-term care services; or, assist the consumer in nursing home placement; and,
  - (2) Notify the consumer of the last date that PASSPORT home care services will be provided.
- (B) Any consumer on ~~PASSPORT loss of medicaid eligibility~~ loss-of-medicaid-eligibility status shall receive services according to an approved plan of care.
- (C) Consumers denied or losing their PASSPORT ~~home and community-based services~~ HCBS program eligibility may appeal that action in accordance with Chapter 5101:3-31 of the Administrative Code. ~~PASSPORT loss of medicaid eligibility~~ Loss-of-medicaid-eligibility status is a nonwaiver-funded (i.e., "state-funded") PASSPORT home care program component available to temporarily protect the consumer, the PAA, and PASSPORT providers from medicaid financial eligibility outcomes ~~which that~~ which that may either produce dangerous absences of consumer care; or the denial of provider reimbursement when services have been provided in good faith. Because appeal rights are provided for all consumers denied enrollment in or losing disenrolled from the PASSPORT ~~home and community-based services~~ HCBS program eligibility, no right of appeal for termination of services shall be provided to consumers on ~~loss of medicaid eligibility~~ loss-of-medicaid-eligibility status.

Effective: 01/01/2008

R.C. 119.032 review dates: 10/16/2007 and 10/15/2011

CERTIFIED ELECTRONICALLY

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Certification

12/21/2007

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Date

Promulgated Under: 111.15  
Statutory Authority: 173.02, uncodified section 213.20 of Am. Sub. H. B. No. 119 (127th G. A.)  
Rule Amplifies: Uncodified section 213.20 of Am. Sub. H. B. No. 119 (127th G. A.)  
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