



# Ohio Department of Mental Retardation and Developmental Disabilities

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Ted Strickland, Governor

John L. Martin, Director

**Date:** October 1, 2009

**To:** Providers  
Individuals and Families Receiving Services  
County Boards of Developmental Disabilities  
Councils of Governments

**From:** Patrick Stephan, Deputy Director  
Division of Medicaid Development and Administration

**Subject:** New Provider Certification Rule, Training Requirements and Forms Update

The Ohio Department of MRDD implemented Ohio Administrative Code rule 5123:2-2-01 (*Provider Certification*) effective **October 1, 2009**. A copy of the rule is available at the Department's website (<http://mrdd.ohio.gov/rules/development.htm>). The purpose of this memo is to clarify the application of this rule, to provide training guidelines and to introduce the revised provider certification forms and website.

## **Applying the New Provider Certification Rule**

OAC rule 5123:2-2-01, Provider Certification, establishes the procedures and standards for certification of all providers of supported living and all providers of Home and Community Based Services (HCBS) as outlined in Ohio Revised Code 5126.01. Services include but are not limited to Medicaid IO and Level One waiver services such as homemaker personal care, transportation, adult day services, adaptive and assistive equipment and respite. The rule does not apply to a person or government entity licensed as a residential facility under section 5123.19 of the Revised Code.

## **Criminal Identification and Investigation (Background Check) Requirement**

The new provider certification rule implements application fees, time-limited certification, new provider qualifications and requirements for Bureau of Criminal Identification and Investigation (BCII) reports. Independent providers must submit a BCII report at initial application and renewal. Agency providers must have a BCII report at initial application for the chief executive officer, each employee, contractor, and employee of a contractor who is engaged in a direct services position. All agency providers are required to ensure, at a frequency of at least once every three years, a BCII report is obtained for the chief executive officer, each employee, contractor, and employee of a contractor who is engaged in a direct services position.

Medicaid Development and Administration 30 E. Broad Street, 13<sup>th</sup> Floor, Columbus, Ohio 43215  
Voice: 614.728-2556 Fax: 614.644-0501 TDD: 614.752.4687 Web Site: <http://mrdd.ohio.gov>  
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## **Training Requirements**

The new provider certification rule requires that applicants have completed eight hours of training in accordance with guidelines established by the department that addresses the five topics listed below. This requirement must be completed prior to application for initial certification in the case of an independent provider, and prior to providing services in the case of an employee, contractor, or employee of a contractor of an agency provider. Agency providers must maintain records to verify that prior to providing services each direct services employee completed the required training. Independent providers must submit documentation that they have met the training requirements prior to initial certification.

### The Five Required Training Topics

1. Overview of serving individuals with developmental disabilities
  - Characteristics of individuals with developmental disabilities
  - Service Planning/Team Process/Communication
  - Best Practices
  - Resources for additional information and assistance
2. The provisions governing rights of individuals set forth in sections 5123.62 to 5123.64 of the Revised Code
  - Review of each right as written in statute
  - Examples that demonstrate how the rights are exercised in the everyday life of a person with a development disability, with emphasis on the following:
    - Dignity and Respect – Principles of the Positive Culture Initiative
    - Privacy
    - Decision Making – Principles of Self-Determination, consent for services and treatment
    - Advocacy – relationship to guardians and personal representatives
    - Financial Management – relationship to payees
    - Confidentiality
3. Overview of basic principles and requirements of providing Home and Community-Based Services (HCBS) waiver services
  - Responsibilities of a Provider
  - Medicaid and Waivers
  - Monitoring and Oversight of Services
  - Submission and payment of claims (Billing)
  - Resources for additional information and assistance
4. The requirements of rule 5123:2-17-02 of the Administrative Code relating to incidents adversely affecting health and safety
  - Categories of major unusual incidents (MUI's) with emphasis on the most common – Unplanned hospitalizations, Misappropriation, Physical Abuse, Neglect, Medical Emergencies, and Known Injury
  - Reporting responsibilities – MUI, Unusual Incident (UI), Trends and patterns
  - Immediate Response
  - Prevention Plans
  - Role of Investigative Agent
  - Abuser Registry
  - ODMRDD Alerts

5. Universal Precautions for infection control, including hand washing and the disposal of bodily waste
  - Infection control
  - Prevention of contact with blood and body fluids
  - Blood born pathogens

#### Trainer Criteria

Trainers must meet either criteria one or two by verifying how they meet the requirements listed below, providing an outline of the training course they conduct, and verifying attendance of trainees.

1. A current employee or contractor of an entity engaged in the service delivery system for individuals with developmental disabilities with a minimum of two years experience. Such entities include but are not limited to provider agencies, county boards of developmental disabilities, and professional or trade associations.
2. An independent trainer with a minimum of five years of experience working with individuals with developmental disabilities, with at least two years in a supervisory or administrative capacity.

#### Verification of Training

A provider applicant's verification of training must include the following elements:

- The applicant's name
- The topic of the training session
- The date of the session
- The length of the session
- The name, address, and phone number of the entity or person who provided the training
- College course description and corresponding transcript if applicable
- A manual or electronic signature of the trainer or designee of the training organization or certificate to verify the person's completion of the session(s). A transcript may be substituted for a signature to verify college coursework.

#### Training Resources

- Coming Soon: Free training will be available at ODMRDD Developmental Centers on a limited basis. Our website will be updated as more information on this opportunity becomes available: <http://mrdd.ohio.gov/providers/new.htm>
- The Ohio Association of County Boards of MRDD offers eight hours of training on the required topics through their online training center. <http://www.oacbmrrd.org>
- Clearwater Council of Government (COG) provides regular training opportunities (twice monthly) on Individual Rights and MUI. For more details, visit their website: [www.clearwatercog.org](http://www.clearwatercog.org)
- Northwest Ohio Waiver Administration Council (NOWAC) is in the process of developing an eight hour training tract for providers. Some training is currently available through correspondence (e-mail or U.S. Postal mailing). For more information, go to the "newsletter" link on the NOWAC website: <http://www.nowac.com/>
- Additional training options may exist with your local County Board, Council of Government, or the Arc of Ohio.

If you'd like to have your training program listed on our website, please send a detailed course description and contact information to [provider.certification@dmr.state.oh.us](mailto:provider.certification@dmr.state.oh.us).

### **Provider Certification Forms and the Application Process**

The Department has revised, consolidated and updated all of the provider certification forms in an effort to simplify the process and to comply with the new rule requirements. The revised Provider Certification Forms are available in a fillable format on the website: <http://mrdd.ohio.gov/providers/new.htm>

The provider certification web page has been improved significantly to give applicants clear step-by-step instructions on how to apply to become a provider. The forms and required documents may be submitted to the Department by e-mail, fax or mail. The previous provider certification forms will be accepted through November 30, 2009.

Please note that since all the forms are now available on the website, the department will no longer be mailing out blank application forms.

If you have questions about the new provider certification rule or the application process, please send an e-mail to [provider.certification@dmr.state.oh.us](mailto:provider.certification@dmr.state.oh.us).

To learn more about the other new standards and requirements see the Department's Memo titled, "Implementation of New Provider Certification Rule," which was distributed on August 19, 2009.