



February 1, 2022

Family, Children and Adult Services Manual Transmittal Letter No. 485

TO: Family, Children, and Adult Services Manual Holders

FROM: Matt Damschroder, Director

SUBJECT: Five Year Rule Review Title XX Rules

This letter transmits Ohio Administrative Code (OAC) rules 5101:2-25-01, 5101:2-25-02, 5101:2-25-03 and 5101:2-25-07 which were amended as part of the five-year rule review process. These rules set forth the requirements that apply to a county department of job and family services (CDJFS) agency in the administration of the Title XX program. These rules will become effective February 7, 2022.

The following is a brief explanation of the changes to these rules:

OAC Rule 5101:2-25-01 entitled **Uniform Definitions of Title XX Services and Other Definitions of Terms Used in Chapter 5101:2-25 of the Administrative Code** identifies terminology and definitions that are to be used by the CDJFS when developing and implementing its Title XX program and preparing the "Title XX County Profile," maintained in the Federal Reporting SSBG Title XX system. The following terms have been added, defined and/or amended: agreement, contract and subgrant. The term grant has been stricken and replaced with the previous terms.

OAC Rule 5101:2-25-02 entitled **Title XX Administration** outlines the requirements a county department of job and family services (CDJFS) that purchases services under contract or provides programs either directly or through a subgrant agreement, are to follow during the administration of their Title XX program. Paragraph (A) was amended for clarity. Paragraph (D) was amended to encompass deleted and added terms. Paragraph (L) was amended to accurately reflect codification of rule identified.

OAC Rule 5101:2-25-03 entitled **Title XX County Profile** details the criteria needed to complete and submit an annual "Title XX County Profile" in the "Federal Reporting SSBG Title XX"

system. Rule amended to ensure the "Title XX County Profile" is conducted through the "Federal Reporting SSBG Title XX" system. Amendments to rule provide clarity to the process and accurately reflect requirements and timelines for entering initial and amended county profiles into the "Federal Reporting SSBG Title XX" system. Paragraphs (E) and (H) were amended to ensure agencies are aware of where to send public hearing and "Title XX Needs Report" information.

OAC Rule 5101:2-25-07 entitled **Title XX Eligibility and Reimbursement** outlines the eligibility requirements for reimbursement of Title XX funds for expenditures of services delivered to individuals. The paragraph order within the rule has been restructured and language has been updated to provide clarity to the eligibility determination and reimbursement process and requirements. Paragraph (C) amended to encompass new term "agreement." Paragraph (I) amended to ensure the "Title XX County Profile" is conducted through the "Federal Reporting SSBG Title XX" system.

INSTRUCTIONS:

The following chart shows what materials should be inserted into the Family, Children and Adult Services Manual (FCASM).

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
DEFINITIONS	5101:2-25-01	5101:2-25-01
SOCIAL SERVICES	5101:2-25-02	5101:2-25-02
	5101:2-25-03	5101:2-25-03
	5101:2-25-07	5101:2-25-07
TRANSMITTAL LETTERS	FCASMTL No. 378	FCASMTL No. 485

5101:2-25-01

Uniform definitions of Title XX services and other definitions of terms used in Chapter 5101:2-25 of the Administrative Code.

The definitions contained in this rule are to be used by the county department of job and family services (CDJFS) when developing and implementing its Title XX program and preparing the "Title XX County Profile."

(A) "Adoption services" means:

- (1) Services or activities provided to assist in bringing about the adoption of a child.
- (2) Component services and activities which may include but are not limited to counseling the biological parent(s), recruitment of adoptive homes, and pre and post placement training and/or counseling.

(B) "Agreement" means a written document for either a contract or subgrant as defined by this rule.

~~(B)~~(C) "Arrangement only" means the time spent by CDJFS staff making collateral contacts (face to face, telephone, or written) necessary to enable an eligible individual to receive services as contained in the current county profile. These services may be provided or purchased by a service provider or another agency through a compact.

~~(C)~~(D) "Case management services" means:

- (1) Services or activities for the arrangement, coordination, and monitoring of services to meet the needs of individuals and families.
- (2) Component services and activities which may include individual service plan development, counseling, monitoring, developing, procuring, and coordinating services; monitoring and evaluating client progress; and assuring that clients' rights are protected.

~~(D)~~(E) "Child care services for children (including infants, pre-schoolers, school age children and individuals under age eighteen with special needs or in need of protective child care)" means:

- (1) Services or activities provided in a setting that meets applicable standards of state and local law, in a center or in a home, for a portion of a twenty-four hour day.
- (2) Component services or activities which may include a comprehensive and coordinated set of appropriate developmental activities for children, recreation, meals, and snacks, transportation, health support services, social services counseling for a parent(s), plan development, and licensing and monitoring of child care homes and facilities.

~~(E)~~(F) "Collateral contact" means the contact (direct, telephone, or written) with agencies, friends, relatives and others directly related to arranging for a service.

~~(F)~~(G) "Compact services" are services that are formal or informal arrangements between the CDJFS and a community agency(s). The services are provided to individuals on a referral basis without a charge to the county. This agreement may be written or unwritten.

~~(G)~~(H) "Congregate meals" are:

- (1) Services or activities designed to prepare and serve one or more meals a day to individuals in central dining areas in order to prevent institutionalization, malnutrition, and feeling of isolation.
- (2) Component services or activities which may include the cost of personnel, equipment, and food; assessment of nutritional and dietary needs; nutritional education and counseling; socialization; and other services such as transportation and information and referral.

~~(H)~~(I) "Consultation" means the provision of treatment by a psychiatrist or psychologist in day and residential treatment for children or a medical consultation provided by a health professional other than a physician, provided that the provider is certified as a Title XIX (medicaid program) provider.

(J) "Contract" means a legal document by which a recipient or subrecipient purchases services needed to carry out Title XX services, determined in accordance with 2 CFR 200.331 (2020-11-12) and rule 5101:9-4-88 of the Administrative Code.

~~(I)~~(K) "Counseling services" means services or activities that apply therapeutic processes to personal, family, situational, or occupational problems in order to bring about a positive resolution of the problem or improved individual or family functioning or circumstances; and problem areas which may include family and marital relationships, parent-child problems, or drug abuse.

~~(J)~~(L) "Course" means the provision of an educational course of instruction or classroom program.

~~(K)~~(M) "Day care services for adults" means:

- (1) Services or activities provided to adults who require care and supervision in a protective setting for a portion of a twenty-four hour day. A full day of services is considered five or more hours of care. All costs, exclusive of transportation, related to the actual provision of care should be built into the unit of service.

- (2) Component services or activities which may include opportunity for social interaction; companionship and self-education; health support or assistance in obtaining health services; counseling; recreation and general leisure time activities; meals; personal care services; plan development; and transportation.

~~(E)~~(N) "Day treatment services for children" means:

- (1) Services designed for the basic purpose of providing treatment for five or more hours of the day for children who manifest primarily emotional, psychological, behavioral, or social problems which cannot be resolved in a nonspecialized education or developmental setting, or in specialized settings such as learning behavioral disabilities classes. While these children may be able to live at home or in substitute care, their needs are such that their daily activities shall be a part of a treatment environment.
- (2) Services for children which involve specialized clinical services required for diagnosis, treatment, and consultation in providing help for pathological conditions; personality services, as distinguished from other parts of the programs; and provided by staff with professional or technical training for helping the child and parents (or caretakers with whom the child is living) directly through such activities as the prescribing of drugs for individuals and families, art and music therapy.
- (3) Service components which include special educational activities, training activities, social and recreational activities, health services, personal and social interaction skill development, activity therapies, community participation activities, and transportation. These services are integral but subordinate to treatment. These services are to be offered as an integrated program; however, the various components may be delivered through different sources.
- (4) Daily activities which include individual and group program components and treatment services prescribed for the individual child. These shall be coordinated and integrated into an individual goal directed treatment plan for the child. The plan shall delineate a predictable, measurable impact on the child's problem. Assessment of the progress of this plan (a formal staffing for all necessary parties to review goal attainment and to arrive at a decision of continuing the plan, revising the plan, or terminating the placement) shall be completed every six months for the total period of treatment.
- (5) Day treatment services for children are not available for federal financial participation and therefore unallowable for:

(a) Educational services which residents of Ohio usually receive free from a public agency unless they are provided as integral but subordinate to the provision of this service.

(b) Any activities related to the provision of Ohio works first (OWF).

~~(M)~~(O) "Direct service " means services provided by staff of the CDJFS.

~~(N)~~(P) "Direct service time" means the time spent actually providing the service either in direct or telephone contact with the individual and time spent making collateral contacts.

~~(O)~~(Q) "Education and training services" means:

- (1) Services provided to improve knowledge of daily living skills and to enhance cultural opportunities.
- (2) Services which may include instruction or training in, but are not limited to, such issues as consumer education, health education, community protection and safety education, literacy education, English as a second language, and general educational development (GED).
- (3) Component services or activities which may include screening; assessment and testing; individual or group instruction; tutoring; provision of books, supplies, and instructional material; counseling; transportation; and referral to community resources.

~~(P)~~(R) "Employment services" means:

- (1) Services or activities provided to assist individuals in securing employment or acquiring or learning skills that promote opportunities for employment.
- (2) Component services or activities which may include employment screening, assessment, or testing; structured job skills and job seeking skills; specialized therapy (occupational, speech, physical); special training and tutoring, including literacy training and pre-vocational training; provision of books, supplies, and instructional material; counseling; transportation; and referral to community resources.

~~(S)~~(S) "Family planning services" means:

- (1) Educational, comprehensive, medical, or social services or activities which enable individuals, including minors, to determine freely the number and spacing of their children and to select the means by which this may be achieved.

- (2) Services and activities which include a broad range of acceptable and effective methods and services to limit or enhance fertility, including contraceptive methods (including natural family planning and abstinence), and the management of infertility (including referral to adoption services).
- (3) Specific component services and activities which may include pre-conceptional counseling, education, and general reproductive health care, including diagnosis and treatment of infections which threaten reproductive capability. Family planning services do not include pregnancy care (including obstetric or prenatal care).

~~(R)~~(T) "Food assistance" means:

- (1) The provision and distribution of supplemental food items to needy individuals and families to reduce hunger and to promote healthy nutrition and diet.
- (2) A statewide service that is reserved exclusively for use by the Ohio department of job and family services, component services or activities of which may include the cost of personnel, insurance, equipment maintenance, food, transport, warehousing, and distributions; assessment of nutritional and dietary needs; nutritional education and counseling; socialization; and information and referral.

~~(S)~~(U) "Foster care services for adults" means:

- (1) Services or activities that assess the need and arrange for the substitute care and alternate living situation of adults in a setting suitable to the individual's needs. Individuals may need such services because of social, physical, or mental disabilities, or as a consequence of abuse or neglect.
- (2) Care that may be provided in a community-based setting, or such services may arrange for institutionalization when necessary.
- (3) Component services or activities that include assessment of the individual's needs; case planning and case management to assure that the individual receives proper care in the placement; counseling to help with personal problems and adjusting to new situations; assistance in obtaining other necessary supportive services; determining, through periodic reviews, the continued appropriateness of and need for placement; and recruitment and licensing of foster care homes and facilities.

~~(F)~~(V) "Foster care services for children" means:

- (1) Services or activities associated with the provision of an alternative family life experience for abused, neglected, or dependent children, between birth and the age of majority, on the basis of a court commitment or a voluntary placement agreement signed by the parent or guardian.
- (2) Services that may be provided to children in foster homes including foster homes operated by a relative of the child, group homes, emergency shelters, residential facilities, child care institutions, pre-adoptive homes, or supervised independent living situations.
- (3) Component services or activities which may include assessment of the child's needs; case planning and case management to assure that the child receives proper care in the placement; medical care as an integral but subordinate part of the service; counseling of the child, the child's parents, kinship care providers and the foster caregivers; referral and assistance in obtaining other necessary supportive services; periodic reviews to determine the continued appropriateness and need for placement; and recruitment and licensing of foster homes and child care institutions.

~~(U)~~ "Grant" means ~~agreements made between public children services agencies only. It is based on a proportionate share of the total cost for particular service(s). Conditions for reimbursement are tied to the expenditures of Title XX funds for that service.~~

~~(V)~~(W) "Group hour" means the same as an hour except the individual is receiving the service in a group setting. The projected unit cost is based on the total hourly cost of providing the service divided by the average size of the group.

~~(W)~~(X) "Half-hour" means thirty minutes of purchased services in the service unit.

~~(X)~~(Y) "Health related and home health services" means:

- (1) In-home or out-of-home services or activities designed to assist individuals and families to attain and maintain a favorable condition of health.
- (2) Component services and activities which may include providing an analysis or assessment of an individual's health problems and the development of a treatment plan; assisting individuals to identify and understand their health needs; assisting individuals to locate, provide, or secure, and utilize appropriate medical treatment, preventative medical care, and health maintenance services, including in-home health services and emergency medical services; and providing follow-up services as needed.

~~(Y)~~(Z) "Home based services" means:

- (1) In-home services or activities provided to individuals or families to assist with household or personal care activities that improve or maintain adequate family well-being.
- (2) Services that may be provided for reasons of illness, incapacity, frailty, absence of a caretaker relative, or to prevent abuse and neglect of a child or adult.
- (3) Major service components that include homemaker services, chore services, home maintenance services, and household management services.
- (4) Component services or activities that may include protective supervision of adults and/or children to help prevent abuse, temporary non-medical personal care, house-cleaning, essential shopping, simple household repairs, yard maintenance, teaching of homemaking skills, training in self-help and self-care skills, assistance with meal planning and preparation, sanitation, budgeting, and general household management.

~~(Z)~~(AA) "Home delivered meals" means:

- (1) Services or activities designed to prepare and deliver one or more meals a day to an individual's residence in order to prevent institutionalization, malnutrition, and feelings of isolation.
- (2) Component services or activities that may include the cost of personnel, equipment, and food; assessment of nutritional and dietary needs; nutritional education and counseling; socialization services; and information and referral.

~~(AA)~~(BB) "Hour" means an hour of direct service as described in the service unit and time spent making collateral contacts directly related to the provision of the service. An hour may be shown in fractional parts rounded to the nearest quarter or tenth of an hour, at county option.

~~(BB)~~(CC) "Housing services" means:

- (1) Services or activities designed to assist individuals or families in locating, obtaining, or retaining suitable housing.
- (2) Component services or activities that may include tenant counseling; helping individuals and families to identify and correct substandard housing conditions on behalf of individuals and families who are unable to protect their own interest; and assisting individuals and families to understand leases, secure utilities, make moving arrangements and minor renovations.

~~(CC)~~(DD) "Independent and transitional living services" means:

- (1) Services and activities designed to help older youth in foster care or homeless youth make transition to independent living, or to help adults make the transition from an institution or from homelessness, to independent living.
- (2) Component services or activities that may include educational and employment assistance, training in daily living skills, and housing assistance. Specific component services and activities may include supervised practice living and post-foster care services.

~~(DD)~~(EE) "Indirect activities" means the supportive activities that are not billed or reported as time spent providing or arranging services. Such activities are important, but many of them cannot be easily linked to both a particular service and a particular individual. Indirect activities and their related costs are reimbursable, but should not be incorporated into the estimate of the maximum number of units in a purchase contract. Such activities include case recording, eligibility determination, general intake, home finding related to adoption and foster care, supervision, time spent in conference not related to specific individuals, nursing contacts, diagnostic evaluations and examinations necessary to identify service needs or to develop an individual plan of services and treatment.

~~(EE)~~(FF) "Individual service plan" means the document that is developed to provide services to the consumer.

~~(FF)~~(GG) "Information and referral services" means services or activities designed to provide information about services provided by public and private service providers and brief assessment of client needs (but not diagnosis and evaluation) to facilitate appropriate referral to community resources.

~~(GG)~~(HH) "Item of equipment" means the equipment purchased for blind individuals.

~~(HH)~~(II) "Legal services" means:

- (1) Services or activities provided by a lawyer or other person(s) under the supervision of a lawyer to assist individuals in seeking or obtaining legal help in civil matters such as housing, divorce, child support, guardianship, paternity and legal separation.
- (2) Component services or activities which may include receiving and preparing cases for trial, provision of legal advice, representation at hearing, and counseling.

~~(II)~~(JJ) "Meal" means the provision of a meal, including the cost of preparation, serving or delivery of the meal. The cost of raw food may be included provided the service does not provide three meals a day or a full nutritional regimen.

~~(JJ)~~(KK) "Minor medical and remedial care components" means medical care directed towards the correction or amelioration of a medical condition, which has been diagnosed as such by an Ohio licensed medical practitioner operating within the scope of state law. Such medical services are allowable under Title XX only when they are not available to the individual under Title XVIII (medicare), Title XIX (medicaid program) or a private insurance plan. These components shall be separately costed, billed and reported.

~~(KK)~~(LL) "Mile" means one mile of transportation.

~~(LL)~~(MM) "Payment" means the payment of delivery cost, housing repairs or moving expenses.

~~(MM)~~(NN) "Pregnancy and parenting services for young parents" means:

- (1) Services or activities for married or unmarried adolescent parents and their families designed to assist young parents in coping with the social, emotional, and economic problems related to pregnancy and in planning for the future.
- (2) Component services or activities which may include securing necessary health care and living arrangements; obtaining legal services; and providing counseling, child care education, and training in and development of parenting skills.

~~(NN)~~(OO) "Prescription" means the provision of a prescribed drug in a day treatment or residential treatment setting for children.

~~(OO)~~(PP) "Prevention and intervention" means:

- (1) Services or activities designed to provide early identification and/or timely intervention to support families and prevent or ameliorate the consequences of abuse, neglect, or domestic violence, or to assist in making arrangements for alternate placement or living arrangements where necessary. Such services may also be provided to prevent the removal of a child or adult from the home.
- (2) Component services and activities which may include investigation, assessment and/or evaluation of the extent of the problem; counseling, including mental health counseling or therapy as needed; developmental and parenting skills training; respite care; and other services including supervision, case management, and transportation.

~~(PP)~~(QQ) "Procedure" means the provision of a complete specified procedure in family planning including but not limited to vasectomy, insertion of intrauterine device (IUD), materials and anesthetic.

~~(QQ)~~(RR) "Protective services for adult" means:

- (1) Services or activities designed to prevent or remedy abuse, neglect, or exploitation of adults who are unable to protect their own interest.
- (2) Situations that may require protective services including injury due to maltreatment or domestic violence; lack of adequate food, clothing or shelter; lack of essential medical treatment or rehabilitation services; and lack of necessary financial or other resources.
- (3) Component services or activities that may include investigation; immediate intervention; arranging emergency medical services; emergency shelter; developing case plans; initiation of legal action (if needed); counseling for the individual and family; assessment/evaluation of family circumstances; arranging alternative or improved living arrangements; preparing for foster care placement, if needed; and case management and referral to service providers.

~~(RR)~~(SS) "Protective services for children" means:

- (1) Services or activities designed to prevent or remedy abuse, neglect, or exploitation of children who may be harmed through physical or mental injury, sexual abuse or exploitation, and negligent treatment or maltreatment, including failure to be provided with adequate food, clothing, shelter, or medical care.
- (2) Component services or activities that may include immediate investigation and intervention; arranging emergency medical services; emergency shelter; developing case plan initiation of legal action (if needed); counseling for the child and the family; assessment/evaluation of family circumstances; arranging alternative living arrangements; preparing for foster placement, if needed; and case management and referral to service providers.

~~(SS)~~(TT) "Purchase services" means services provided through written contract between: private or nonprofit agencies, individual and other public agencies. Public agencies meaning an agency under the administrative and budgetary control of the city, county or state government acting under the mandate of the general assembly.

~~(TT)~~(UU) "Recreation services" means services or activities designed to provide or assist individuals to take advantage of individual or group activities directed towards promoting physical, cultural, and/or social development.

~~(UU)~~(VV) "Residential treatment services" means:

- (1) Short-term residential care and comprehensive treatment and services for children or adults whose problems are so severe or are such that they cannot be cared

for at home or in foster care and need the specialized services provided by specialized facilities. Residential treatment services should always be reported as twenty-four hours in whole numbers counting the day of admission as day one and the day of release as the last day.

- (2) Component services and activities which may include diagnosis and psychological evaluation; alcohol and drug detoxification services; individual, family, and group therapy and counseling; remedial education and general educational development (GED) preparation; vocational or pre-vocational training; training in activities of daily living; supervised recreational and social activities; and case management.

~~(VV)~~(WW) "Round trip per person" means the provision of a round trip of transportation services.

~~(WW)~~(XX) "Special services for persons with developmental or physical disabilities or persons with visual or auditory impairments" means:

- (1) Services or activities to maximize the potential of persons with disabilities, help alleviate the effects of physical, mental or emotional disabilities, and to enable those persons to live in the least restrictive environment possible.
- (2) Components services or activities which may include personal and family counseling; respite care; family support; recreation; transportation; aid to assist with independent functioning in the community; and training in mobility, communication skills, the use of special aids and appliances, and self sufficiency skills. Residential and medical services may be included only as an integral, but subordinate, part of the services.

~~(XX)~~(YY) "Special services for youth involved in or at risk of involvement in criminal activity" means:

- (1) Services or activities for youth who are, or who may become, involved with the juvenile justice system and their families.
- (2) Component services or activities that are designed to enhance family functioning and/or modify the youth's behavior with the goal of developing socially appropriate behavior and may include counseling, intervention therapy and residential and medical services if included as an integral but subordinate part of the services.

(ZZ) "Subgrant" means subrecipient agreements between a private, non-profit or other government agency, determined in accordance with 2 CFR 200.331 and rule 5101:9-4-88 of the Administrative Code.

~~(YY)~~(AAA) "Substance abuse services" means:

- (1) Services or activities that are primarily designed to deter, reduce, or eliminate substance abuse or chemical dependency. Except for initial detoxification services, medical and residential services may be included but only as an integral but subordinate part of the service.
- (2) Component substance abuse services or activities that may include a comprehensive range of personal and family counseling methods, methadone treatment for opiate abusers, or detoxification treatment for alcohol abusers.
- (3) Services that may be provided in alternative living arrangements such as institutional settings and community-based halfway houses. The day should always be reported as twenty-four hours in whole numbers counting the day of admission as day one and the day of release as the last day.

~~(ZZ)~~(BBB) "Supply" means the provision of supplies used in family planning.

~~(AAA)~~(CCC) "Test" means the provision of one laboratory test in family planning.

~~(BBB)~~(DDD) "Token" means a ticket used by the individual to ride a common carrier in transportation services.

~~(CCC)~~(EEE) "Transaction" means an incident of information and referral.

~~(DDD)~~(FFF) "Transportation services" means:

- (1) Services or activities that provide or arrange for travel including travel costs of individuals in order to access services or obtain medical care or employment.
- (2) Component services or activities that may include special travel arrangements such as special modes of transportation and personnel to accompany or assist individuals or families to utilize transportation.

Effective: 2/7/2022

Five Year Review (FYR) Dates: 11/23/2021 and 02/07/2027

CERTIFIED ELECTRONICALLY

Certification

01/28/2022

Date

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06/01/1995, 08/01/1998, 01/01/2004, 10/01/2005,
01/12/2007, 05/31/2012, 06/01/2017, 07/01/2019

5101:2-25-02 **Title XX administration.**

- (A) A county department of job and family services (CDJFS) that purchases services ~~and those parties the CDJFS has under contract to provide Title XX services~~ under contract or provides programs either directly or through a subgrant shall administer Title XX services in accordance with the requirements of Title XX of the Social Security Act, 88 Stat. 2337 (1974), 42 U.S.C. 1397 (2010), section 5101.46 of the Revised Code, and Chapter 5101:2-25 of the Administrative Code. Child care services provided under Title XX are excluded from the requirements contained in Chapter 5101:2-25 of the Administrative Code. The CDJFS shall follow child care requirements contained in Chapter 5101:2-16 of the Administrative Code.
- (B) Each county in Ohio is designated as a separate geographic area for Title XX services planning, implementation, monitoring, and evaluation.
- (C) The Title XX program year is October first through September thirtieth.
- (D) Title XX services may be provided through:
- (1) "Compact services" are formal or informal arrangements between the CDJFS and a community agency(s);
 - (2) "Direct services" are services provided by staff or the CDJFS;
 - (3) "Purchase services" are services provided through written contract between private or nonprofit agency(s); or
 - (4) ~~"Grants" are agreements made between public children services agencies (PCSA)~~ only."Agreements" contract(s) or subgrant(s) as defined in rule 5101:2-25-01 of the Administrative Code.
- (E) Methods of delivery may change during a program year as needs occur or resources are developed.
- (F) Reimbursement is available only for services and service activities which are specifically included on the "Title XX County Profile," services outlined in rule 5101:2-25-07 of the Administrative Code, and for administrative support directly related to the provision of such services.
- (G) When contacted by a consumer or responsible person or agency seeking Title XX services, the CDJFS or provider agency under ~~contract~~ agreement with the CDJFS shall provide an application for Title XX services to the person making the request. An application is not required when services are offered without regard to income.

- (H) The CDJFS or provider agency under contract with the CDJFS shall ensure upon the receipt of the application the following:
- (1) The consumer or responsible person or agency acting on behalf of the consumer is the person submitting the application for Title XX services.
 - (2) The application is signed by the consumer, guardian, parent or custodian, if the consumer is a child, or an individual or agency acting on behalf of the consumer.
- (I) Protective services for adults and children and information and referral services may be provided without regard to income and do not require an application. Protective services cases require a case record that documents the circumstances of actual or potential abuse, neglect, or exploitation of the adult or child.
- (J) All providers of Title XX services shall comply with any licensing, certification, or approval required by state or federal law or regulation.
- (K) An individual service plan, designed at the county's option, is required to provide any service defined in rule 5101:2-25-01 of the Administrative Code. A service plan is not required for information and referral services.
- (L) Pursuant to section ~~1397d(a)(9)(A) of the Social Security Act~~ 42 U.S.C. 1397d(a)(9)(A) of the Social Security Act, providers excluded from medicare, medicaid and maternal and child health services participation are not eligible to receive Title XX funds either directly or indirectly. Neither the CDJFS nor providers of services under Title XX funding shall employ or contract with excluded individuals.
- (M) Reimbursement is available for minor medical or remedial care only when the medical care is integral but subordinate to the provision of the social service to which the medical care is a part.
- (N) Title XX funds may not be utilized for:
- (1) Purchase or improvement of land, or the purchase, construction, or permanent improvement (other than minor remodeling) of any building or other facility.
 - (2) Provision of cash payments for cost of subsistence or for the provision of room and board (other than costs of subsistence during rehabilitation, room and board provided for a short term as an integral but subordinate part of a social service, or temporary emergency shelter provided as a protective service).
 - (3) Payment of the wages of any individual as a social service (other than payments of the wages of Ohio works first customers employed in the provision of child care services).

- (4) Provision of medical care (other than family planning services, rehabilitation services or initial detoxification of an alcoholic or drug dependent individual) unless it is an integral but subordinate part of a social service for which grants may be used under 42 U.S.C. 1397d of the Social Security Act.
- (5) Social services (except services to an alcoholic or drug dependent individual or rehabilitation services) provided in and by employees of any hospital, skilled nursing facility, intermediate care facility, or prison, to any individual living in such institution.
- (6) Provision of any educational service which the state makes generally available to its residents without cost and without regard to their income.
- (7) Any child care services unless such services meet applicable standards of state and local law.
- (8) Provision of cash payments as a service, except as otherwise provided for in this rule.

Effective: 2/7/2022

Five Year Review (FYR) Dates: 11/23/2021 and 02/07/2027

CERTIFIED ELECTRONICALLY

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5101:2-25-03

Title XX county profile.

- (A) ~~Each county department of job and family services (CDJFS) shall complete an annual "Title XX County Profile." and submit the annual county profile in the "Federal Reporting SSBG Title XX" system to the Ohio department of job and family services (ODJFS) by June fifteenth.~~ Each county department of job and family services (CDJFS) is to submit an annual "Title XX County Profile" into the federal reporting SSBG Title XX reporting system no later than June fifteenth. The county profile is to identify the Title XX social services to be provided during the upcoming federal fiscal year, October first to September thirtieth.
- (1) ~~The county profile shall identify the Title XX social services to be provided during the federal fiscal year, October first to September thirtieth of the upcoming year.~~
- (2) ~~If the CDJFS has altered the original profile submitted in June, the CDJFS shall submit to ODJFS, an amended profile that has been approved by the county commissioner or designee by the end of July.~~
- (3) ~~The original and amended profile shall be entered in the "Federal Reporting SSBG Title XX" system.~~
- (4) ~~The CDJFS shall maintain the original and all amended county profile(s) with signature(s) of approval by the CDJFS' director and county commissioner(s) or designee, and the date and location of the public hearing pursuant to paragraphs (C) to (F) of this rule, on file to present at a state hearing upon request or in the event of an inquiry.~~
- (B) The CDJFS can amend the profile report in the system no later than July fifteenth prior to the FFY for which it is effective. The CDJFS is to ensure the last amended profile be signed by the county commissioner or designee. The amended "Title XX County Profile" is to comply with the requirements of paragraph (C) of this rule and will take into consideration comments and recommendations received during the public hearing held in accordance with paragraph (D) of this rule.
- (1) The CDJFS is to maintain the original and all amended county profile(s) with signature(s) of approval by the CDJFS' director and county commissioner(s) or designee, and the date and location of the public hearing pursuant to paragraphs (D) and (E) of this rule, on file to present at a state hearing upon request or in the event of an inquiry.
- (2) Once the amended "Title XX County Profile" has been signed in accordance with paragraph (B)(1) of this rule, the CDJFS is to enter the amended "Title XX County Profile" within the federal reporting SSBG Title XX reporting system.

~~(B)~~(C) The county profile shall include the services to be provided and for each service the estimated number of persons to be served or activities provided and estimated total expenditures including state, federal and local dollars. The county chooses the service(s) it wishes to offer from a catalogue of Title XX services listed on the county profile, but each profile shall include one or more services directed at one or more of the following five program goals. The count is to include primary consumers and individuals authorized to receive the service on behalf of a primary consumer. The five national goals for Title XX are:

- (1) Achieving or maintaining economic self-support to prevent, reduce, or eliminate dependency.
- (2) Achieving or maintaining self-sufficiency including reduction or prevention of dependency.
- (3) Preventing or remedying neglect, abuse or exploitation of children or adults unable to protect their own interest or preserving, rehabilitating or reuniting families.
- (4) Preventing or reducing inappropriate institutional care by providing for community-based care, home-based care or other forms of less intensive care.
- (5) Securing referral or admission for institutional care when other forms of care are not appropriate or providing services to individuals in institutions.

~~(C)~~(D) The CDJFS planning committee designated by the county commissioners shall conduct a public hearing on the initial county profile prior to its publication and make a record of the proceedings from which a transcript can be made. Public hearings may be conducted virtually. A public notice of the hearing shall be published in one or more mediums: a newspaper of general circulation, radio, television, or agency's website before such hearing is held. Comments and recommendations received from the public, as a result of the hearing, should be taken into consideration for the final county profile.

~~(D)~~(E) Each CDJFS has the flexibility of doing a public hearing annually or biennially and shall forward electronically a summary of the comments made at the public hearing on the proposed county profile to ODJFS mailbox, JFC OFC SSBG Title XX County Profile Reports, by the end of May.

~~(E)~~(F) ~~This paragraph applies to all Title XX services except for child care services which are set forth in Chapter 5101:2-16 of the Administrative Code.~~ The only social services authorized for Title XX state and federal reimbursement are those which are included in the "Title XX County Profile" submitted within the federal reporting SSBG system

and for which standard definitions have been published in the "Comprehensive Title XX Social Services Plan" (CTXXSSP).

- (1) ~~The only social services authorized for Title XX state and federal reimbursement are those which are included in the county profile and for which standard service definitions have been published in the "Comprehensive Title XX Social Services Plan" (CTXXSSP). Social services identified in the "Title XX County Profile" will comply with the definitions and requirements contained in rule 5101:2-25-01 of the Administrative Code.~~
 - (2) ~~Social services identified in the county profile shall comply with the definitions and requirements contained in Chapter 5101:2-25 of the Administrative Code. Any child care services provided will comply with the requirements set forth in Chapter 5101:2-16 of the Administrative Code.~~
- (F) ~~The CDJFS may amend its final county profile after the final CTXXSSP has been submitted.~~
- (1) ~~The amended county profile shall be signed and dated by the CDJFS director and board of county commissioners or their designee.~~
 - (2) ~~The amended profile shall include one or more services directed at one or more of the five program goals described in this rule.~~
 - (3) ~~When amending the county profile, the CDJFS shall take into consideration the comments and recommendations received from the public hearing in accordance with paragraph (C) of this rule.~~
 - (4) ~~The amended profile shall be available for public review.~~
 - (5) ~~The CDJFS shall keep the amended county profile on file to present at a state hearing when relevant or in the event of an inquiry.~~
- (G) Each CDJFS may develop a "Title XX Local Needs Report" to substantiate the local county criteria utilized in the selection of Title XX services in the county profile. In the needs report, the CDJFS may address the local needs and Title XX services provided to resolve these needs. The provisions of such services shall be financially feasible. The following topics may be included in the "Title XX Needs Report":
- (1) The statement of needs; this is a description of needs to be addressed by Title XX funded services. The CDJFS may choose to use in its description of needs any or all of the categorically grouped needs listed in this paragraph. The six groups of needs cover all Title XX reimbursable services.

- (a) Abuse, neglect, exploitation.
 - (b) Family or individual health.
 - (c) Frail, impaired, elderly, handicapped.
 - (d) Unemployment, training, insufficient job skills.
 - (e) Family or individual dysfunction.
 - (f) Other.
- (2) The needs assessment source; this is for the needs listed in paragraph (G)(1) of this rule. The source of the information utilized to determine selection of the Title XX services may be identified.
- (3) The services needed in the county; this may specify which Title XX service(s) shall be utilized to meet the grouped needs listed in paragraph (G)(1) of this rule.
- (4) The population affected; this may identify the population group which is most in need of each service provided.
- (5) The goal attainment; this is for each of the services offered, and shall specify which Title XX goal(s) described in section 5101.46 of the Revised Code will be achieved.
- (H) If the CDJFS has developed a "Title XX Needs Report", the CDJFS shall:
- (1) Make the "Title XX Needs Report" available for public review and comment.
 - (2) Submit electronically to ODJFS mailbox, JFC OFC SSBG Title XX County Profile Reports, one copy of the "Title XX Needs Report" with the county profile.

Effective: 2/7/2022

Five Year Review (FYR) Dates: 11/23/2021 and 02/07/2027

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5101:2-25-07

Title XX eligibility and reimbursement~~dependent upon correct determination of recipient eligibility.~~

(A) Child care services provided under Title XX are excluded from the requirements contained in this rule and the county department of job and family services (CDJFS) shall follow child care requirements contained in Chapter 5101:2-16 of the Administrative Code.

(B) Reimbursement under Title XX for expenditures for services delivered to individuals is contingent upon the following:

(1) Service is ~~included in the "Comprehensive Title XX Social Services Plan" (CTXXSSP) defined in the "Comprehensive Title XX Social Services Plan" (CTXXSSP)~~ and specifically included in the county's "Title XX County Profile," maintained in the federal reporting SSBG Title XX system.

(2) The individual who receives the service is a member of one of the eligibility categories to which the service is available in the county of residence. ~~Availability of services to eligibility categories is shown in the county's profile.~~Eligibility information will be documented in accordance with paragraphs (D) and (E) of this rule.

(3) The individual receiving the service(s) correctly met the eligibility factors which are applicable to the service(s) received by the individual and the individual's eligibility category.

~~(C) When the CDJFS provides Title XX social services for free or for a fee, it shall establish eligibility standards or a fee schedule based on income level guidelines. The CDJFS shall formalize these eligibility standards and fee schedules in a written document which the CDJFS shall make available at all times for public review.~~

~~(D)~~(C) Categories of eligibility Eligibility categories under the Title XX program are as follows:

(1) Income eligible

(a) Services for free, ~~as determined by the CDJFS.~~

(i) Under services for free, no cost is paid by the client to either the CDJFS or the provider.

(ii) Income eligibility will be determined in accordance with the agency's defined policy, utilizing an application or other means to document the income for the assistance group.

(b) Services for a fee, ~~as determined by the CDJFS.~~

(i) Services for a fee is the amount charged to the client by the CDJFS or provider agency under ~~contract~~ agreement with the CDJFS.

~~(ii) The CDJFS may offer any service(s) identified in their current county profile in the "Service for a Fee" category with the exception of information and referral services, protective services for adults and protective services for children.~~

~~(iii)~~(ii) Only those services to which fees are applicable are counted in determining the amount of the fee. Services that are available to consumers without regard to income would therefore not be counted.

(2) Without regard to income, ~~as determined by the CDJFS.~~

(a) ~~A written application is not required where service is deemed without regard to income~~ Any service category can be designated as without regard to income; however, the following categories are typically provided without regard to income:-

(i) Protective services for adults.

(ii) Protective services for children.

(iii) Information & referral.

(b) ~~Protective services for adults and children and information and referral may be provided without regard to income~~ A written application is not needed where service is deemed without regard to income.

~~(E)~~(D) ~~Eligibility determinations and redeterminations may be conducted by the agency providing the service; however the CDJFS may make eligibility determinations if it concludes that doing so would benefit consumers or result in more efficient operation of the Title XX social services program in the county, or if it concludes that a provider is making unsatisfactory eligibility determinations. The CDJFS will determine the frequency of redeterminations, based upon the service plan. When the CDJFS has determined that any Title XX service will be provided as services for free or services for a fee, the CDJFS will establish a written policy to document the established income eligibility criteria applicable to each service. If different eligibility criteria are established for different services, the policy will clearly define the eligibility criteria applicable for each individual service. The written policy should identify the types of income that will be counted or not counted in the~~

eligibility determination. Additionally, the policy should establish the length of time the eligibility determination is considered valid, and the frequency of any eligibility redeterminations. This written policy will be available at all times for public review.

(E) When the CDJFS has determined any Title XX service will be provided a service for a fee the CDJFS will establish a fee schedule for the individual services. Any such fee schedule will be documented in a written policy, available at all times for public review.

(F) Eligibility determinations and redeterminations may be conducted by the agency providing the service; however the CDJFS may make eligibility determinations if it concludes that doing so would benefit consumers or result in more efficient operation of the Title XX social services program in the county, or if it concludes that a provider is making unsatisfactory eligibility determinations.

~~(F)~~(G) Proper and improper determination and redetermination of eligibility, under the Title XX program are as follows:

(1) Reimbursement is available for services provided during the period of proper eligibility determination and until the end of the month in which the individual is subsequently determined to be ineligible for services or in which the eligibility determination has expired.

(2) A proper determination of eligibility is based on a correct assessment of all necessary information available to the CDJFS or provider agency at the time of such determination. The determination must be made within thirty calendar days of the date of the initial application or request for services, or prior to the due date of a redetermination.

(3) Written notification of approval or denial of an application or request for Title XX social services shall be made within fifteen calendar days of the date of determination. Paragraph (H) of this rule shall apply.

(4) If a consumer is found to have been improperly determined eligible for services, reimbursement is not available for the services provided during the period of improper determination.

(5) Reimbursement from the Ohio department of job and family services (ODJFS) to the CDJFS or from the CDJFS to the provider agency is not available prior to the date of the initial application or request for services.

~~(G)~~(H) The CDJFS or the ~~agency under contract~~ provider under agreement that makes eligibility determinations and redeterminations for Title XX social services shall:

- (1) Accept consumer applications and requests for services.
- (2) Complete a social service plan.
- (3) Determine eligibility.
- (4) Authorize requested services, if appropriate.
- (5) Fulfill all applicable responsibilities relative to state hearings in accordance with division 5101:6 of the Administrative Code.

~~(H)~~(I) When Title XX eligibility determination and redetermination are conducted by the ~~purchased service provider under contract~~ provider under the agreement, the CDJFS must assure that the provider ~~agency~~ will explain to the consumer the following rights and responsibilities:

- (1) The consumer has the right:
 - (a) To apply for services and have eligibility determined within thirty calendar days of the receipt of the application.
 - (b) To receive any needed services listed in the county's ~~profile as provided in the consumer's eligibility category in the consumers' county~~ "Title XX County Profile," maintained in the federal reporting SSBG Title XX system, provided all eligibility factors are met and sufficient funds are available to provide the services.
 - (c) To a state hearing as described in division 5101:6 of the Administrative Code.
 - (d) To be advised of the eligibility requirements for social services.
 - (e) To the safeguarding of information reported by or about the consumer, to the extent permitted by law.
- (2) The consumer has the responsibility:
 - (a) To report, within ten calendar days, any information that may affect eligibility.
 - (b) To provide documentation to substantiate eligibility.
 - (c) To cooperate with subsequent efforts to assess any error rate made in the eligibility process.

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