

5122-36-04 Responsibilities of the living arrangement.

Each living arrangement housing a RSS resident shall:

(A) Furnish accommodations to each resident. "Accommodations" means housing, three nutritious meals per day, meal preparation, laundry service, housekeeping, arranging transportation, social activities within the living arrangement, recreational activities within the living arrangement, maintenance, security service, and similar services.

(B) Furnish supervision to each resident. "Supervision" means ensuring the resident's health, safety, and welfare by observing the resident while he or she engages in activities of daily living or other activities; reminding the resident to engage in or complete an activity of personal hygiene or other self-care activity; or, assisting the resident in making or keeping an appointment.

(C) Furnish personal care services to each resident. "Personal care services" mean services that include assisting a resident with activities of daily living, assisting a resident with self-administration of medications in accordance with rule 5122-33-17 of the Administrative Code, and preparing special diets, if the living arrangement furnishes special diets in accordance with rule 5122-33-20 of the Administrative Code.

(D) Accept the allowable fee in rule 5122-36-05 of the Administrative Code as payment in full for all accommodations, supervision, and personal care services the living arrangement provides to the RSS resident. The living arrangement shall not request additional payment for these services from the resident, the resident's family, or any other local, state, or federal agency.

(E) Provide ODMH's designee with access to any RSS resident's records, including a resident's financial records, and any mental health plans of care as defined in rule 5122-33-18 of the Administrative Code.

(F) Allow each resident to meet privately with ODMH's designee.

(G) Notify ODMH's designee before transferring or discharging a resident to another living arrangement.

(H) Notify ODMH's designee of any significant changes in the resident's status that might affect the resident's needs.

(I) Not act as legal guardian or power of attorney for any resident unless appointed guardian or named power of attorney before July 1, 2000. However, the living arrangement may act as a resident's authorized representative.

(J) Maintain the appropriate licensure or certification.

(K) Return any RSS payment that it receives for a resident who was disenrolled from the program or left the living arrangement before the beginning of the month for which the payment was made.

(L) Give a prorated portion of any RSS payment to a resident who finds it necessary to leave the living arrangement due to extenuating circumstances before the end of the month for which the payment was made. The living arrangement shall pay even if the resident fails to give the minimum notice of departure that an admissions agreement or other contract between the living arrangement and the resident requires. Examples of extenuating circumstances include:

(1) The living arrangement cannot provide the level of care that the resident's mental, emotional, or physical condition requires;

(2) The health, safety, or welfare of the resident or any other person residing in the living arrangement requires a transfer or discharge;

(3) The living arrangement no longer has a current, valid license or certification; or,

(4) The living arrangement goes out of business.

(M) Permit each resident to have daily access to his or her personal funds during regularly-scheduled office hours, as specified in a posted notice that is available to each resident.

(N) Have each resident sign receipts for all funds exchanged between the resident and the living arrangement including payment for care, spending money, and any purchases the living arrangement makes on the resident's behalf. Additionally, the living arrangement shall provide each resident with a quarterly itemized account statement, and, if the resident gives permission to do so, the living arrangement shall provide ODMH's designee with this statement.

(O) Provide transportation for each resident as needed. If the living arrangement provides transportation for a charge to the resident, the living arrangement shall provide the resident with complete information regarding the living arrangement's transportation policy, including information concerning costs, and other transportation options available to the resident.

(P) Refrain from charging a resident more than the usual and customary rate for furnishing transportation or purchasing items.

(Q) Provide for the resident's needs, as determined by ODMH's designee. If the living arrangement cannot meet the resident's needs, it shall cooperate with ODMH's designee to relocate the resident to a living arrangement that can meet the resident's needs.

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