



Promoting wellness and recovery

John R. Kasich, Governor • Tracy J. Plouck, Director • 30 E. Broad St. • Columbus, OH 43215 • (614) 466-2596 • mha.ohio.gov

Residential State Supplement (RSS) Quality Payment Program Participation Agreement

The Ohio Department of Mental Health and Addiction Services (OhioMHAS) has made a commitment to improve the Residential State Supplement (RSS) Program by increasing the quality of life for individuals enrolled in RSS by providing resources to help improve the quality of living environments in which they reside. As part of this commitment, the Department is implementing the RSS Quality Payment for *State Fiscal Year 2015 - 16*. The intent of the RSS Quality Payment is to provide ancillary payments directly to operators of those facilities that house residents receiving RSS in order to enhance the quality of care for all residents of the living environment.

This Program Participation Agreement is effective beginning July 1, 2015 through June 30, 2016 between the Ohio Department of Mental Health and Addiction Services (OhioMHAS) and _____ (***Name of Licensed Operator***), to ensure that enhancements to the quality of the living environment and quality of life for RSS and Non-RSS residents are supported through expenditure of these funds. By signing this form, the operator receiving the RSS Quality Payment agrees to the following:

- 1) Operator must have a current and valid license with OhioMHAS or the Ohio Department of Health (ODH), including, but not limited to, having no proposed actions to deny, revoke, or refuse to renew the facility's license ; no outstanding plans of correction; no orders suspending admission of residents ; and there are no pending civil penalties.
- 2) Operator understands that funds will be transferred electronically through the OAKS Vendor system on a quarterly basis. Funds are based upon the number of residents receiving RSS who reside in the facility for each month of the payment quarter.
- 3) Operator is eligible to participate if managing living environments which provide housing to residents with RSS. Eligible living arrangements are those allowed by *Division (D)(1) of Section 5119.41 of the Ohio Revised Code* and include:
 - a) Adult Care Facilities (including Adult Family and Group Homes) licensed by OhioMHAS;
 - b) Adult Foster Homes licensed by OhioMHAS; and
 - c) Residential Care Facilities/Assisted Living licensed by ODH.
- 4) Operator agrees to expend funds on allowable activities, which include:
 - a) Appropriate staffing augmentation, beyond minimum licensure requirements;
 - b) Internal and external items that augment space, equipment, safety and sanitation requirements as stated in *Ohio Administrative Code 5122-33-22*, which may include:
 - i. Home furnishings (beds, furniture, exercise equipment);
 - ii. Extermination (bed bugs);
 - iii. Minor repairs and upgrades to the home that would enhance the quality of care provided to residents which exceed the minimum OhioMHAS residential facility certification requirements. Small-scale improvements, could include new furniture or flooring for residents, enhanced outdoor areas, minor bath upgrades, and increased safety features.
 - c) Activities that promote community integration, which may include:
 - i. Transportation costs (bus passes, gas, and insurance) associated with community integration activities;
 - ii. Community activities with peer support specialists, peer supporters, recovery coaches, and/or consumer operated centers.
- 5) Operator agrees that RSS Quality Payment funds will NOT be used to supplement or supplant those services that are intended to be paid for by the Residential State Supplement (RSS) Program. *Ohio Administrative Code 5122-36-04* lists the responsibilities of the living arrangement for RSS residents as Accommodations, Supervision, and Personal Care Services.



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- 6) Operator agrees that the Department can perform inspections or audits of receipts for activities or items purchased with RSS Quality Payment funds.
- 7) Operator will provide the Department repayment of RSS Quality Payment funds if OhioMHAS determines that:
 - a) Funding was utilized for services paid for by the RSS Program; or
 - b) Funding was received for a resident who was no longer receiving RSS or residing in the facility on the first day of the month; or
 - c) Funding was not utilized for any of the permissible purposes listed in this agreement.

Terms and Conditions:

- 1) This Agreement shall be construed in accordance with the laws of the State of Ohio and only Ohio courts shall have jurisdiction over any action or proceeding concerning this Agreement or performance hereunder.
- 2) This Agreement may not be modified except in writing and signed by authorized representatives of the parties.
- 3) Operator warrants that it is not subject to an unresolved finding for recovery under Ohio Revised Code § 9.24. If the warranty is deemed to be false on the date the parties sign this Agreement, this Agreement is void *ab initio* and Operator shall immediately repay any funds paid under this Agreement.
- 4) Operator hereby certifies that no applicable party(s) or their spouses listed in § 3517.13 of the Ohio Revised Code has made one or more campaign contributions in excess of the amounts specified therein.
- 5) None of the rights, duties or obligations in this Agreement will be binding on OhioMHAS until all of the following conditions have been met: all statutory provisions under Ohio Revised Code, including § 126.07, have been met; and all necessary funds are made available by the appropriate state agencies.
- 6) In carrying out this Agreement, Operator may not discriminate against any employee or applicant for employment because of race, religion, color, sex, sexual orientation, national origin, disability, age, genetic information or military status ("protected status"). Operator will ensure that all applicants are hired and all employees treated without regard to protected status.
- 7) Operator certifies that s/he will abide by Ohio's ethics laws as codified in Ohio Revised Code Chapters 102 and 2921, as interpreted by the courts of the State and by the opinions of the Ohio Ethics Commission.
- 8) OhioMHAS may terminate the RSS Quality Payment Program prior to the end of State Fiscal Year 2015 - 16 without notice or further payments.

I hereby declare, certify and affirm that I agree to participate in the RSS Quality Payment Program and will utilize the program funds according to the above terms and conditions.

Operator Printed Name	Operator Signature	Date
Licensed Facility Name(s). (Please list all participating facilities if licensed for more than one that will be covered under this agreement.)		