



## Department of Developmental Disabilities

Mike DeWine, Governor  
Jeff Davis, Director

### Rule 5123-2-08 (Provider Certification - Agency Providers) Implementation Plan

Rule Requirement	Implementation Timelines
(D)(1): Have written policies and procedures in: <ul style="list-style-type: none"><li>• person-centered planning and self-determination</li><li>• individuals' satisfaction with services delivered</li><li>• internal monitoring and evaluation procedures to improve services delivered</li><li>• supervision of staff</li><li>• written training plan</li><li>• service delivery</li><li>• background investigations</li><li>• volunteers (when agency engages volunteers)</li></ul>	<ul style="list-style-type: none"><li>• Implementation by January 1, 2022</li><li>• Included in compliance tool April 1, 2022</li></ul>
(D)(2): Demonstrate established internal compliance program for: <ul style="list-style-type: none"><li>• provider certification</li><li>• background investigations</li><li>• delivery, documentation, and billing for services</li><li>• management of individuals' funds</li></ul>	<ul style="list-style-type: none"><li>• Internal compliance programs updated by January 1, 2022</li><li>• Included in compliance tool April 1, 2022</li></ul>
(D)(3): When agency provider is governed by board of directors, board members shall: <ul style="list-style-type: none"><li>• ensure fiscal integrity of agency provider by reviewing and approving annual audit or annual financial statements and by monitoring agency provider's financial status including trends and challenges</li><li>• review and evaluate all compliance review reports by DODD or county board and agency provider's response including plan of correction</li><li>• monitor effectiveness of agency provider's internal compliance program</li><li>• promote delivery of high-quality services</li></ul>	<ul style="list-style-type: none"><li>• Implementation by January 1, 2022</li></ul>
(F)(1) & (F)(2): Develop and implement written training plan and maintain written records of training	<ul style="list-style-type: none"><li>• Implementation by January 1, 2022</li><li>• Included in compliance tool April 1, 2022</li></ul>
(G)(7): Upon realization that agency provider may be unable to continue to serve individual, engage individual and Service and Support Administrator to consider alternative strategies	<ul style="list-style-type: none"><li>• Implementation September 1, 2021</li></ul>
(G)(8): Notify in writing, individual and Service and Support Administrator that agency provider intends to cease providing services no less than 30 days prior to termination of services and convey documents and records to Service and Support Administrator as requested	<ul style="list-style-type: none"><li>• Implementation September 1, 2021</li></ul>

Rule Requirement	Implementation Timelines
<p>(H)(2)/(I)(6)/Appendix A: Prior to initial certification or within 30 days of hire, Director of Operations shall complete DODD-provided:</p> <ul style="list-style-type: none"> <li>• web-based orientation for Directors of Operations</li> <li>• training in empathy-based care</li> </ul>	<ul style="list-style-type: none"> <li>• Implementation September 1, 2021</li> <li>• Included in compliance tool April 1, 2022</li> </ul>
<p>(H)(3)/Appendix A: Director of Operations shall <b>annually</b> complete:</p> <ul style="list-style-type: none"> <li>• 2 hours of DODD-provided web-based training in: <ul style="list-style-type: none"> <li>◦ essential topics relevant to the agency provider's role and responsibilities</li> <li>◦ empathy-based care</li> <li>◦ rule 5123-17-02 including Health &amp; Welfare Alerts issued by DODD since previous year's training</li> </ul> </li> <li>• 4 hours of training selected by Director of Operations in topics relevant to services provided and individuals served by the agency provider and/or management of the agency provider</li> </ul>	<ul style="list-style-type: none"> <li>• Implementation September 1, 2021</li> <li>• Compliance tool updated for 2023 (compliance looks at the annual training for the previous year, so 2023 is when 2022 annual training will be reviewed)</li> </ul>
<p>(J)(3)/Appendix C: Ensure <b>prior to providing direct services</b>, each Direct Support Professional completes:</p> <ul style="list-style-type: none"> <li>• Training provided or arranged by the agency provider in: <ul style="list-style-type: none"> <li>◦ mission, vision, values, and organizational structure of agency provider</li> <li>◦ policies, procedures, and work rules of agency provider</li> <li>◦ overview of specific services provided by agency provider</li> <li>◦ service documentation that supports billing for services provided</li> </ul> </li> <li>• Training provided by DODD or entity using DODD-provided curriculum in: <ul style="list-style-type: none"> <li>◦ empathy-based care</li> <li>◦ role of Direct Support Professional including National Alliance for Direct Support Professionals Code of Ethics</li> <li>◦ rights of individuals</li> <li>◦ implementation of individual service plans and service outcomes</li> <li>◦ recognizing and reporting major unusual incidents and unusual incidents</li> <li>◦ universal precautions for infection control</li> </ul> </li> <li>• Training provided or arranged by the agency provider specific to individual service plan of each individual Direct Support Professional will support regarding what is important to the individual and what is important for the individual</li> </ul>	<ul style="list-style-type: none"> <li>• Implementation January 1, 2022</li> <li>• Included in compliance tool April 1, 2022</li> </ul>
<p>(J)(3)/Appendix C: Ensure each Direct Support Professional completes <b>within 30 days of hire</b>:</p> <ul style="list-style-type: none"> <li>• Training provided or arranged by the agency provider in: <ul style="list-style-type: none"> <li>◦ person-centered planning and provision of services</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Implementation January 1, 2022</li> <li>• Included in compliance tool April 1, 2022</li> </ul>

Rule Requirement	Implementation Timelines
<ul style="list-style-type: none"> <li>o facilitating community participation and integration for individuals served</li> <li>o provisions of rule 5123-17-02 relevant to Direct Support Professional's duties including Health &amp; Welfare Alerts issued by DODD</li> <li>o empathy-based care</li> </ul>	
<p>(J)(3)/Appendix C: Ensure each Direct Support Professional <b>annually</b> completes:</p> <ul style="list-style-type: none"> <li>• 2 hours of training provided by DODD or entity using DODD-provided curriculum in topics relevant to Direct Support Professional's duties including: <ul style="list-style-type: none"> <li>o National Alliance for Direct Support Professionals Code of Ethics</li> <li>o rights of individuals</li> <li>o empathy-based care</li> </ul> </li> <li>• 6 hours of training provided or arranged by the agency provider in: <ul style="list-style-type: none"> <li>o recognizing and reporting major unusual incidents and unusual incidents, agency-specific data regarding major unusual incidents, and strategies for preventing major unusual incidents</li> <li>o Health &amp; Welfare Alerts issued by DODD since previous year's training</li> <li>o topics relevant to services provided and people served by agency provider</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Implementation January 1, 2022</li> <li>• Compliance tool updated for 2023 (compliance looks at the annual training for the previous year, so 2023 is when 2022 annual training will be reviewed)</li> </ul>
<p>(K): Ensure staff who supervise Direct Support Professionals, within 90 days of becoming supervisor, complete training regarding all relevant duties and responsibilities of being supervisor for agency provider</p>	<ul style="list-style-type: none"> <li>• Implementation January 1, 2022</li> <li>• Included in compliance tool April 1, 2022</li> </ul>
<p>(L)(4): Ensure volunteers who provide more than 40 hours of service working directly with individuals served by agency provider during a calendar year:</p> <ul style="list-style-type: none"> <li>• Receive training in: <ul style="list-style-type: none"> <li>o role of volunteer including the National Alliance for Direct Support Professionals Code of Ethics and rights of individuals</li> <li>o recognizing and reporting major unusual incidents and unusual incidents</li> <li>o overview of emergency procedures</li> </ul> </li> <li>• Undergo background investigations</li> </ul>	<ul style="list-style-type: none"> <li>• Implementation January 1, 2022</li> <li>• Included in compliance tool April 1, 2022</li> </ul>