

(A) Purpose

To transport an individual 60+ from one place to another through the use of a provider's vehicle and driver. Examples of places to which the provider may transport an individual are a medical office, congregate nutrition program site, grocery store, senior center, or government office.

(B) Unit of Service

- (1) A one-way trip constitutes one unit of transportation service.
- (2) The unit rate in a provider agreement shall reflect the provider's fully-allocated costs, including administrative costs, training costs, and documentation costs.

(C) Minimum requirements for a transportation service:

- (1) In general:
 - (a) Type of provider: Only a driver employed by an agency provider or a driver who is a self-employed provider may provide the service. A consumer-directed individual provider shall not provide the service.
 - (b) Drivers are required and must have visible proof of identification, i.e., name badge or uniform.
 - (c) Availability: An agency provider shall possess a back-up plan for times when a driver or vehicle is unavailable. A self-employed provider shall possess a back-up plan for times when he/she or his/her vehicle is unavailable. The back-up plan may describe the process for providing the service when the driver or vehicle is unavailable or it may describe the process for notifying the consumer that a driver or vehicle is unavailable.
 - (d) The Provider must assure that all vehicles are easily identifiable with the Provider's name.
 - (e) Into and out of vehicle: As part of each service provided, the driver shall help the consumer to safely enter and exit the vehicle. The agency provider shall maintain a policy for drivers that list any additional responsibilities assigned to the driver by the provider agreement (e.g., helping a consumer from the door of their home to the vehicle or helping a consumer from inside their home to the vehicle). The agency provider shall inform every consumer of this policy before providing the service to the consumer (e.g., "Our driver will only pick you up if you meet him/her at the curb" or "Our driver will only pick you up if you meet him/her at the door of your home"). The self-employed provider shall maintain a policy

that lists any additional responsibilities assigned to him/her by the provider agreement. The self-employed provider shall inform every consumer of this policy before providing the service to the consumer (e.g., "I will only pick you up if you meet me at the curb" or "I will only pick you up if you meet me at the door of your home").

- (f) Records: For each service provided, the driver shall document the consumer's name; service date; pick-up point and time of the pick up; destination point and time of the drop off; service units; driver's name; and driver's signature.
 - (g) The Provider must maintain a written Drug and Alcohol Testing Policy.
 - (h) The Provider must maintain a "Wireless Communication and Electronic Device" policy for drivers including but not limited to:
 - (i) Drivers prohibited from unofficial AND official use of cell phones while the vehicle is in motion. Exception: For official use (i.e. to communicate with the dispatcher or care manager) a completely hands-free device with automatic connection capability such as Bluetooth technology may be permitted.
 - (ii) Text messaging prohibited for all drivers while the vehicle is in motion.
 - (iii) Use of personal handheld electronics prohibited for all drivers while the vehicle is in motion.
 - (iv) The use of dual ear headphones where hearing may be impaired is prohibited.
- (2) Vehicle inspections:
- (a) The provider shall create a written plan for preventative maintenance and inspection of each vehicle and wheelchair lift used for this service which shall include the documented recommended preventative-maintenance schedule of the vehicle or wheelchair lift and the:
 - (i) "Annual Vehicle Inspection" on form ODA0004 <http://www.aging.ohio.gov/information/rules/forms.aspx>. The provider shall only use a vehicle for the service if the mechanic who is certified by the national institute for automotive service excellence (i.e., "ASE-certified") or another mechanic approved by

COA inspected it no more than twelve months beforehand and the answers to all questions on the form were "yes."

- (ii) "Pre-Trip Vehicle Inspection" on form ODA0008 <http://www.aging.ohio.gov/information/rules/forms.aspx>. The provider shall only use a vehicle if, before providing the first service of the day, the driver inspected it and the answers to all questions required by the form was "yes."
 - (b) The provider shall deem that a vehicle that holds a current, valid license from the Ohio Medical Transportation Board to operate as an ambulette is a vehicle that complies with paragraph (C)(2)(a)(i) of this rule.
 - (c) The provider shall maintain documentation on compliance with paragraph (C)(2)(a) of this rule.
- (3) Driver qualifications:
- (a) Before providing the first service, the driver shall:
 - (i) Hold a current, valid driver's license for at least two years, hold any driver's license endorsement that is necessary to operate the type of vehicle used for the service, and have fewer than six points issued under Chapter 4506 or 4507 of the Revised Code (or have points issued under statutes of the driver's home state that are substantially equivalent to six points issued under Chapter 4506 or 4507 of the Revised Code if the driver is a resident of another state).
 - (ii) Obtain a signed statement from a licensed physician acting within the scope of the physician's practice that states that the driver has no medical or physical condition, including an incurable vision impairment that may impair safe driving, passenger assistance, emergency treatment, or the health and welfare of a consumer or the general public.
 - (iii) Pass drug and alcohol tests. The drug tests check for the use or abuse of amphetamines, cannabinoids (THC), cocaine, opiates, and phencyclidine (PCP). The driver receives a passing score if the drug tests do not find the drugs in his/her blood, breath, or urine. The alcohol tests check blood-alcohol content. The driver receives a passing score if the alcohol tests do not find a blood-alcohol content in the driver's blood that is higher than Ohio's maximum blood-alcohol content. The driver shall obtain the drug and alcohol

tests from a hospital or another entity that the Ohio department of health permits to conduct the tests.

- (iv) Pass a training course in first aid and CPR offered by the American Red Cross, the American Heart Association, the National Safety Council, Medic First Aid International, American Safety and Health Institute, or an equivalent organization approved by ODA.
 - (v) Possess the ability to understand written and oral instructions;
 - (vi) Possess the ability to comply with paragraph (C)(1)(c) of this rule.
 - (vii) Possess the ability to comply with the documentation requirement and the "Pre-Trip Vehicle Inspection" requirement under paragraphs (C)(1)(f) and (C)(2)(a)(ii) of this rule.
 - (viii) Sign and date a statement attesting to receiving orientation to the Wireless Communication and Electronic Device Policy.
- (b) No later than six months after a driver provides his/her first service or no later than six months after the effective date of this rule, whichever occurs later, the driver shall:
- (i) Complete a defensive-driving course sponsored or endorsed by the National Safety Council or the Ohio Department of Transportation. The driver shall also complete a defensive-driving course every three years thereafter.
 - (ii) Complete an introductory course approved by ODA on passenger-assistance training that includes the following topics:
 - (a) Sensitivity to aging.
 - (b) Overview of diseases and functional factors commonly affecting older adults.
 - (c) Environmental considerations affecting consumers (e.g., ice on steps).
 - (d) Consumer assistance and transfer techniques.
 - (e) Management of a wheelchair, including the proper methods for securing a wheelchair.
 - (f) Securing a portable oxygen tank;

(E) Consumer Cost Sharing

This service is exempt from Rule 173-3-07, Consumer Cost Sharing Policies. The Provider may solicit and accept voluntary contributions.

Based on Rule# 173-3-06.6

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R.C. 119.032 review dates: 11/30/2010 and 03/12/2016

Promulgated Under: 119.03

Statutory Authority: 173.02; 173.392; Section 305 (a)(1)(C) of the Older Americans Act of 1965, 79 Stat. 210, 42 U.S.C. 3001, as amended in 2006; 45 C.F.R. 1321.11

Rule Amplifies: 173.392; Sections 321, 414, and 416 of the Older Americans Act of 1965, 79 Stat. 210, 42 U.S.C. 3001, as amended in 2006

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