

Clearance #5099

**Title: Office of Children and Families: Amendments to Title XX Program Rules
(To comment, please click inside the red box)**

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

TO: All Family, Children and Adult Services Manual Holders

FROM: Thomas J. Hayes, Director

SUBJECT: AMENDMENTS TO THE TITLE XX ADMINISTRATIVE RULES

This letter transmits the revision of the Title XX rules in the Ohio Administrative Code, Chapter 5101:2-25 as a result of the five year rule review process.

This transmittal letter also outlines revisions to the JFS 01821 (Title XX County Profile and instructions). These revisions are a result of federal legislation (Federal Register/Vol. 64, No. 199/Friday, October 15, 1999) requiring the Comprehensive Title XX Social Services Plan be submitted to the Department of Health and Human Services, 30 days prior to the effective date of the plan.

Counties still continue to have flexibility in the administration of their Title XX program.

INSTRUCTIONS:

The chart found on page 2 of this transmittal depicts what materials are to be removed from the Family, Children and Adult Services Manual (FCASM) and what materials are to be inserted in the FCASM.

LOCATION	REMOVE AND FILE AS OBSOLETE	INSERT/REPLACEMENT
DEFINITIONS Title XX	5101:2-25-01	5101:2-25-01
SOCIAL SERVICES Title XX Services	Social Services for Family, Children and Adults (Title XX) Overview and Rule Index 5101:2-25-02 5101:2-25-03 5101:2-25-07	Social Services for Family, Children and Adults (Title XX) Overview and Rule Index 5101:2-25-02 5101:2-25-03 5101:2-25-07
FORMS	Index of Forms ODHS 1821 "Title XX County Profile" (8/98)	Index of Forms JFS 01821/Instruction "Title XX County Profile" (xx/03)
TRANSMITTALS Manual Transmittals	Transmittal Letter Index Starting With No.	Transmittal Letter Index Starting With No. FCASMTL No. ____

RRB/sb

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 ~~human services (CDHS)~~ [job and family services \(CDJFS\)](#) when developing and implementing its Title XX program and preparing the "Title XX County Profile."

- (A) "Actual costs" means the actual cost for the expert witness fee deposition and subpoena
- (B) "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.
- (C) "Arrangement only" means the time spent by ~~county department of human services (CDHS)~~ [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.
- (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.
- [\(E\) 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.
- ~~(E)~~(G) "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.

~~(G)~~(H) "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.

~~(H)~~(I) "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.

~~(1) 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.~~

~~(2) Problem areas which may include family and marital relationships, parent-child problems, or drug abuse.~~

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

~~(J) "Day" means five or more hours of care provided in a day care setting for adults, and day treatment for children. All costs, exclusive of transportation, related to the actual provision of care should be built into the unit.~~

(K) "Day" ~~(twenty-four hours)~~ means the provision of twenty-four hours of detoxification services, emergency shelter for children, and residential treatment for children and/or adults. The day should always be reported in whole numbers counting the day of admission as day one and the day of release as the last day or five or more hours of care provided in a day care setting for adults, and day treatment for children. All cost, exclusive of transportation, related to the actual provision of care should be built into the unit.

(L) "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.

(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.

~~(M) "Day 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 home and facilities.~~

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

(1) Services designed for the basic purpose of providing treatment for a portion 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 must be a part of a treatment environment.

- (2) ~~Day treatment services~~ Services for children which ~~involves~~ 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 must be coordinated and integrated into an individual goal directed treatment plan for the child. The plan must 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) must be completed every six months for the total period of treatment.
- (5) Federal financial participation is not available 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).

~~(Q)~~(N) "Direct service time" means the time spent actually providing the service either in direct or telephone contact with the individual ~~(example: The time a homemaker spends in the individual's home, time spent in a counseling session, time spent assisting the individual to find suitable housing)~~ and time spent making collateral contacts.

~~(P)~~(O) "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.

~~(Q)~~(P) "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.

~~(R)~~(Q) "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).

~~(S)~~(R) "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.

~~(R)~~(S) "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 family homes, foster homes of relatives, 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, ~~and kinship care providers and~~ the foster ~~parent~~ ~~caregivers~~; referral and assistance in obtaining other necessary supportive services; periodical reviews to determine the continued appropriateness and need for placement; and recruitment and licensing of foster homes and child care institutions.

~~(U)~~(T) "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.

~~(V)~~(U) "Half-hour" means a ~~session of speech or hearing therapy~~ thirty minutes of purchased services in the service unit.

~~(W)~~(V) "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.

~~(X)~~(W) "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.

~~(X)~~(X) "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 ~~feeling~~ 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.

~~(Z)~~(Y) "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.

~~(AA)~~(Z) "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.

~~(BB)~~(AA) "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.

~~(CC)~~(BB) "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.

~~(DD)~~(CC) "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.

~~(EE)~~(DD) "Item of equipment" means the equipment purchased for blind individuals.

~~(FF)~~(EE) "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.

~~(GG)~~(FF) "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.

~~(HH)~~(GG) "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 must be separately costed, billed and reported.

~~(II)~~(HH) "Mile" means one mile of transportation.

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

~~(KK)~~(JJ) "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.

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

~~(MM)~~(LL) "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 ~~family~~ 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.

[\[Enter paragraph text here\]](#)

- (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.

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

~~(OO)~~(NN) "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 ~~family-~~ 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; 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.

~~(PP)~~(OO) "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; 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.

~~(QQ)~~(PP) "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.

~~(RR)~~(OO) "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.
- (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 GED preparation; vocational or pre-vocational training; training in activities of daily living; supervised recreational and social activities; case management.

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

~~(TT)~~(SS) "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.

~~(3) Residential and medical services may be included only as an integral, but subordinate, part of the services.~~

~~(UU)~~(TT) "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.

~~(VV)~~(UU) "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. Services may be provided in alternative living arrangements such as institutional settings and community based halfway houses.

~~(3) Services that may be provided in alternative living arrangements such as institutional settings and community based halfway houses.~~

~~(WW)~~(VV) "Supply" means the provision of supplies used in family planning ~~(example: three packages of contraceptive foam).~~

~~(XX)~~(WW) "Test" means the provision of one laboratory test in family planning ~~(example: One urinalysis).~~

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

~~(ZZ)~~(YY) "Transaction" means an incident of information and referral.

~~(AAA)~~(ZZ) "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.

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

- (A) A county department of ~~human job and family~~ services (~~CDHS~~)(~~CDJFS~~) purchase service provider and those parties the ~~CDHS~~ CDJFS has under contract to provide Title XX services shall administer Title XX services in accordance with the requirements of Title XX of the Social Security Act, 49 Stat. 620 (1935), 42 U.S.C. 301, as amended, 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 ~~CDHS~~ 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 July first through June thirtieth.
- (D) Title XX services may be provided through compact, direct services, ~~or~~ purchased services or grants as defined in the current ~~Title XX comprehensive social services plan (CSSP)~~ Comprehensive Title XX Social Services Plan (CTXXSSP). Methods of delivery may change during a program year as need occurs ~~and/or~~ or resources are developed.
- (E) Reimbursement is available only for services and service activities which are specifically included on the "Title XX County Profile" (~~ODHS 1821~~) (JFS 01821), services outlined in rule 5101:2-25-07 of the Administrative Code, and for administrative support directly related to the provision of such services.
- (F) Any consumer has the right to apply for and request Title XX services as indicated in paragraph (G) of this rule. A responsible person or agency acting on behalf of this consumer may make an application and request for services for the consumer. Neither the CDJFS nor a provider agency under contract with the CDJFS may refuse to accept such application or request for services.
- (G) The CDJFS must develop a written application for Title XX services. In order to request Title XX services, the individual requesting the service must complete the CDJFS written application. The application must be signed by the consumer, a guardian or authorized representative of the consumer, parent or custodian of a child, or individual or agency acting on behalf of the consumer.
- (H) When protective services for adults, protective services for children or information and referral services are provided without regard to income, a dated case recording must be included in the case record. The case record must document the circumstances or actual or potential abuse, neglect or exploitation of the adult or child. Only in this situation is a written application not required.
- ~~(I)~~ (D) All providers of Title XX services must comply with any licensing, certification, or approval required by state or federal law or regulation.
- ~~(J)~~ (G) 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. ~~The only exception to this~~ A service plan ~~requirement~~ is not required for information and referral services. ~~The term is as~~ defined in rule 5101:2-25-01 of the Administrative Code.
- ~~(K)~~ (H) Pursuant to section 1128(H)(3) of the Social Security Act, providers excluded from medicare participation are not eligible to receive Title XX funds either directly or indirectly. Neither the ~~CDHS~~ CDJFS nor providers of services under Title XX funding shall employ or contract with excluded individuals.

~~(L)~~ 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.

~~(M)~~ 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 ~~welfare~~[Ohio Works First](#) recipients 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., Section 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.

5101:2-25-03 **Title XX county profile.**

(A) Each county department of job and family services (CDJFS) may develop a "Title XX Needs Report" to substantiate the local county criteria utilized in the selection of Title XX service in the county profile. In the needs report, the CDJFS can address local social service needs and Title XX services provided to resolve these needs. The provision of such services must be financially feasible. The following facts may be included in the "Title XX Needs Report":

(1) Statement of needs: description of social service 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 below. The six groups of needs cover all Title XX reimbursable services.

(a) Abuse, neglect, exploitation.

(b) Family/individual health services.

(c) Frail, impaired, elderly handicapped.

(d) Unemployment, training, insufficient job skills.

(e) Family/individual dysfunction.

(f) Other.

(2) Needs assessment source: for the social services needs listed in paragraph (A) of this rule, the CDJFS may identify the source of the information utilized to determine selection of Title XX services.

(3) Services needed in the county: the CDJFS may specify which Title XX service(s) shall be utilized to meet which of the grouped needs listed in paragraph (A) of this rule.

(4) Population affected: the CDJFS may identify the population group which is most in need of each service provided.

(5) Goal attainment: for each of the services offered, the CDJFS shall specify which Title XX goal(s) described in section 5101.46 of the Revised Code will be achieved.

(B) If the CDJFS has developed a "Title XX Needs Report", the CDJFS shall make the "Title XX Needs Report" available for public review and comment.

(C) Each county shall biennially develop and submit to the Ohio department of job and family services (ODJFS) a county profile of Title XX social services to be provided during the next program year. The CDJFS is responsible to submit to ODJFS two copies of the profile which have been approved by the county commissioners by the last week of October. Both copies of the profile must have the original signatures of the director of the CDJFS and commissioners or designees. If the CDJFS developed a "Title XX Needs Report", the CDJFS must submit two copies of the "Title XX Needs Report" with the county profile. If the CDJFS has altered the original profile submitted in October, the CDJFS shall submit to ODJFS two copies of the revised profile that has been approved by the county commissioners or designees by the second week in February.

(D) The county profile shall be submitted on the JFS 01821 "Title XX County Profile". The county profile shall include the services to be provided and for each service the estimated unduplicated number of persons to be served 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 JFS

1821, but each profile must include at least one service directed at each of the following five program goals described in division (A) of section 5101.46 of the Revised Code. Each individual can be counted no more than once in any service category. The count it to include primary consumers and individuals authorized to receive the service on behalf of a primary consumer..

The Title XX five national goals 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.

(E) The county department of job and family services planning committee designated by the county commissioners shall conduct a public hearing on the county profile prior to its publication, making a record of the proceedings from which a transcript can be made. A public notice of the hearing shall be published in a newspaper of general circulation before such hearing is held.

(F) Each CDJFS shall forward a summary of the comments made on the proposed Comprehensive Title XX Social Services Plan (CTXSSP) to ODJFS.

(G) ODJFS shall develop and include in the CTSSP an alphabetical listing by service of each CDJFS. The alphabetical listing will include the service(s) to be provided, the estimated number or persons to be serviced by each CDJFS, and the estimated total expenditures by each CDJFS including state and federal dollars.

(H) 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.

(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 CTSSP.

(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.

(I) The CDJFS may amend its final county profile after the CTSSP has become effective.

(1) The amended JFS 01821 must be signed and dated by the CDJFS director and board of county commissioners or their designee.

(2) The amended profile must include at least one service directed at each of the five program goals described in this rules.

(3) The amended profile must be available for public review.

(4) 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.

5101:2-25-07 **Title XX reimbursement dependent upon correct determination of recipient eligibility.**

(A) ~~This rule describes eligibility criteria which apply to consumers requesting services funded under Title XX of the Social Security Act. Child-day~~ Child care services provided under Title XX are excluded from the requirements contained in this rule and the county department of ~~humans~~ job and family services (~~CDHS~~) (CDJFS) shall follow ~~child-day~~ 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 Social Services Plan" (CSSP)~~ "(Comprehensive Title XX Social Services Plan" (CTXXSSP).

(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 data section of the ~~CSSP~~ CTXXSSP.)

(3) The individual receiving the service(s) was correctly determined to meet 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.

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

(1) Income eligible

(a) ~~Free services~~ Services for Free. as determined by the ~~CDHS~~ CDJFS.

(b) ~~Fee services~~ Services for a Fee. as determined by the ~~CDHS~~ CDJFS.

(i) Services for a Fee is the amount charged by the CDJFS or provider agency under contract with the CDJFS.

(ii) The CDJFS may offer any service(s) identified in their current CTXXSSP 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) 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 ~~regards~~ regard to income - as determined by the ~~CDHS~~ CDJFS. No written application is required where service is deemed without ~~regards~~ regard to income. Information and Referral may be provided "without regard to income", unless a fee is stipulated by the CDJFS.

~~(3) Individual receiving the service was correctly determined to meet the eligibility factors which are applicable to the service received by the individual and the individual's eligibility category.~~

~~(4) Eligibility determinations and redeterminations may be conducted by the agency providing the service; however, the CDHS may make eligibility determinations if it concludes that doing so would benefit clients 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 CDHS will determine the frequency of redetermination, based upon the service plan.~~

(E) 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 .

~~(D)~~(F) Proper and improper ~~determinations~~ 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.
- (2) A proper determination of eligibility is ~~one~~ based on a correct assessment of all necessary information available to the ~~CDHS~~ CDJFS or provider agency at the time of such determination. The determination must be made within thirty 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. Provision of paragraph (H) of this rule shall apply.

~~(3)~~(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.

~~(4)~~(5) Reimbursement from ~~ODHS~~ the Ohio Department of Job and Family Services (ODJFS) to the ~~CDHS~~ CDJFS or from the ~~CDHS~~ CDJFS to the provider agency is not available prior to the date of the initial application or request for services.

~~(E)~~(G) ~~Eligibility determination/redetermination requirements of purchase service providers, CDHS, and agencies under contract, except those who are under vendor agreement, for purchased services must~~ The CDJFS, purchase service provider, or the agency under contract make 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 level designation 5101:6 of the Administrative Code.

~~(F)~~(H) ~~The Title XX contract must assure that the provider will explain to each consumer his rights and responsibilities as a recipient of services under Title XX and his right to a state hearing. Each consumer must be advised of his rights and obligations relative to receiving services within the limitations set forth in Chapter 5101:2-25 of the Administrative Code. The explanation of rights and~~

~~obligations~~ When Title XX eligibility determination and redetermination are conducted by the purchased service provider under contract, the CDJFS must assure that the provider agency will explain ~~includes~~ the following:

- (1) Right to apply for services and have eligibility determined within thirty days of the receipt of the application.
- (2) Right to receive any needed service listed in the county's profile as provided in the consumer's eligibility category in the consumers' county provided all eligibility factors are met and sufficient funds are available to provide the services.
- (3) Right to a state hearing as described in division level designation 5101:6 of the Administrative Code.
- (4) Responsibility to report, within five days, any information that may affect eligibility.
- (5) Responsibility to provide documentation to substantiate eligibility.
- (6) Responsibility to cooperate with subsequent efforts to assess ~~the~~ any error rate ~~of~~ made in the eligibility process.
- (7) Right to be advised of the eligibility requirements for social services.
- (8) Right to the safeguarding of information reported by or about the consumer, to the extent permitted by law.

Title XX County Profile

County	Program Period From July 1, __ through June 30, __
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Categories of Eligibility

Catalogue of Title XX Social Services (1)	Services without Regard to Income (2)	Services for Free (3)	Services for a Fee (4)	Total Individual and Cost (5)
Adoption	#			
	\$			
*Case Management	#			
	\$			
**Child Care Employment and Training	#			
	\$			
***Child Care Protective	#			
	\$			
**Child Care Special Needs	#			
	\$			
Congregate Meals	#			
	\$			
Counseling	#			
	\$			
Day-Care for Adults	#			
	\$			
Day Treatment for Children	#			
	\$			
Education and Training Services	#			
	\$			
Employment Services	#			
	\$			
Family Planning	#			
	\$			

Catalogue of Title XX Social Services (1)	Services without Regard to Income (2)	Services for Free (3)	Services for a Fee (4)	Total Individual and Cost (5)
Foster Care Services for Adults	#			
	\$			
Foster Care Services for Children	#			
	\$			
Health Related and Home Health Services	#			
	\$			
Home-Based Services	#			
	\$			
Home Delivered Meals	#			
	\$			
Housing Services	#			
	\$			
Independent and Transitional Living Services	#			
	\$			
Information and Referral	#			
	\$			
Legal Services	#			
	\$			
Pregnancy and Parenting Services for Young Parents	#			
	\$			
Prevention and Intervention	#			
	\$			
****Protective Services for Adults	#			
	\$			
****Protective Services for Children	#			
	\$			
Recreation Services	#			
	\$			

***Services are without regards to income unless a fee is stipulated by the CDJFS.
****Services are without regard to income unless payment is court ordered per 5101.70 of the Ohio Revised Code.

County	Program Period From July 1, _____ to June 30, _____
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Catalogue of Title XX Social Services (1)	Services without Regards to Income (2)	Services for Free (3)	Services for a Fee (4)	Total Individual and cost (5)
Residential Treatment Services	#			
	\$			
Special Services for Persons with Developmental or Physical Disabilities or Persons with Visual or Auditory Impairments	#			
	\$			
Special Services for Youth Involved in or at Risk of Involvement in Criminal Activity	#			
	\$			
Substance Abuse	#			
	\$			
Transportation	#			
	\$			
TOTAL				\$

Service Date(s) (if different from biennium)

Title of Service	Beginning Date	Ending Date
Title of Service	Beginning Date	Ending Date
Title of Service	Beginning Date	Ending Date

Submitted by: (Signature of County Department of Job and Family Services Director)	Date
Approved by: (Signature of County Commissioner)	Date

Street Address of Hearing	Date of Hearing
City, State, Zip Code	Time of Hearing

Counties reserved the right to limit eligibility contingent upon the availability of funds and resources.

Note: Submit an original profile to ODJFS by the last last week of October.

Ohio Department of Job and Family Services

INSTRUCTIONS FOR COMPLETING THE JFS 01821 2-YEAR TITLE XX COUNTY PROFILE

Purpose

The JFS 01821 “Title XX County Profile” is submitted biennially to the Ohio Department of Job and Family Services by each county department of job and family services (CDJFS) to indicate which Title XX social services are to be provided to eligible individuals during the program year.

The “Title XX County Profile” includes the services to be provided; the estimated unduplicated number of persons to receive each service; and the estimated total expenditures including state, federal and local dollars. Eligible categories of recipients for Title XX services are determined by the CDJFS. All services are included at county option but each profile must include at least one service directed at each of the five program goals described in division (B) OF Section 5101.46 of the Revised Code.

Contents

For each selected service, show estimates by eligibility category of the:

- C Number of consumers (designated in each row “#”) - Count each individual no more than once in any service category. Include primary consumer and those authorized to receive services on behalf of a primary consumer.
- C Total cost (designated in each row “\$”) - Show estimated total cost of providing reimbursable Title XX services for the 24-month program period. Round to the nearest whole dollar, for example \$1,575.50 equals \$1,576.

Cost figures are to include the federal, state and local dollars. Cost charges to other federal funds (Title XIX, Title IV-B, etc) are not to be included in this plan.

Profile symbols

- estimated number of individuals

\$ - estimated costs

Submittal

The completed form is to be submitted to your district office by the last week of October of the year prior to the effective date of the plan. Do not include any additional footnotes or pages. Substantive changes will not be made to the profile by Central Office; additional footnotes and pages will be deleted.

INSTRUCTIONS FOR COMPLETING THE JFS 01821

Page 2 of 2

Pages 1, 2, and 3 - Services and Eligibility Categories

- Column 1** Catalogue of Title XX Social Services - The list includes all social services defined in the Comprehensive Title XX Social Services Plan (CTXSSP).
- Column 2-4** Eligibility Categories - For each selected service, show estimates of the unduplicated number of recipients to be served and the total cost for the program period. If the dates of a particular service offered do not coincide with the two-year CTSSP, place a footnote by that service title. Enter the beginning and ending date on page 3.
- Column 2** Services without Regard to Income - This includes “Information and Referral”, “Protective Services Adults”, and Protective Services for Children” - **As determined by the CDJFS.**
- “Protective Services for Adults” is without regard to income unless the CDJFS determines that an adult in need of protective services has sufficient means to pay for them or a court orders the adult to pay, pursuant to section 5101.70 of the Revised Code.
- Column 3** Services for Free - **As determined by the CDJFS.**
- Column 4** Services for a Fee - **As determined by the CDJFS.**
- Column 5** Total Individual and Cost - Column 5 represents the sums of #s and \$s from columns 2 through 4 for each included services.

Page 3 - TOTAL and Service Dates

The **TOTAL** (column 5) is the projected total dollars to be spent.

Service Dates

Enter Title of Service, and the Beginning Date and Ending Date that service will be offered if the dates are different from the beginning and ending of the CTSSP program period.

Director’s Signature and Date

The county profile must be signed and dated by the director of the CDJFS.

County Commissioner’s Signature and Date

The county profile must be approved by the county commissioners by a signature and date.