

POLICY 403

SERVICE PROVIDER CONDITIONS OF PARTICIPATION

The Agency is required by the Ohio Department of Aging and the U. S. Administration on Aging to develop specific Conditions of Participation (COPs), as a contractual requirement with which Service Providers receiving Title III, Senior Community Services (SCS) and Alzheimer's Respite funds must comply. By agreement with the Lucas County Commissioners, this same requirement applies to the Lucas County Senior Services Levy funds administered by the Agency

PROCEDURE A SERVICE PROVIDER CONDITIONS OF PARTICIPATION

Service Providers shall have a current contract with the Agency and shall meet these Conditions of Participation:

1. Be a formally organized business or service agency providing the services a applied for, and shall:
 - a. Disclose all entities with a five percent or more ownership, and have written statement defining the purpose of the business or service agency;
 - b. Have a written statement of policies and directives, bylaws, or articles of incorporation;
 - c. Have a written table of organization that clearly identifies lines of administrative, advisory, contractual, and supervisory authority unless the business is a sole proprietorship;
 - d. Operate the business in compliance with all applicable federal, state, and local laws, and shall have a written statement supporting compliance with:
 - (i) Non-discrimination laws, federal wage and hour laws, and workers' compensation laws in the recruitment and employment of individuals;
 - (ii) Non-discrimination laws in the provision of services; and
 - (iii) Federal rules and statutes take precedence over these conditions in cases where discrepancies exist.
 - e. Have a written affirmative action plan that must be appropriately updated, and will be reviewed at least annually, if employing 15 or more persons.

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2. Have a physical facility from which to conduct business. The facility should have a telephone and a designated and utilized locked storage space for the maintenance of participant records.
3. Have written procedures supporting the operation of the business and provision of service, and shall:
 - a. Have a system to document services delivered, billed, and reimbursed that complies with service specifications;
 - b. Provide evidence supporting financial responsibility in the coverage of participant loss due to theft, property damage, or personal injury, and have a written procedure which identifies the steps a participant must take to file a liability claim;
 - c. Have a written procedure for reporting and documenting all participant incidents including significant changes that affect service delivery or imminent health or safety risks.
 - d. Maintain a file for each participant. Each file shall include this identifying data:
 - i. Participant's name, address, and telephone number;
 - ii. Participant's date of birth and gender;
 - iii. Name and telephone number of participant's contact person or caregiver;
 - iv. Service provider's contact person and telephone number;
 - v. Participant's functional abilities or limitations relevant to authorized services; and
 - vi. Additional demographic data requested by the AAA.
 - e. Maintain documentation of each participant contact and each service delivered;
 - f. Obtain written approval from the participant to release participant information; and

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- g. Retain all participant records for at least five years or until an audit is completed and all exceptions resolved, whichever is later.
 - h. Have a written procedure for follow-up and investigation of participant complaints and grievances, and a method to inform participants at the inception of services of the contact number for the RLTCOP.
 - i. Provide opportunity for Title III, SCS, and Alzheimer's Respite participants to make voluntary contributions for services. Voluntary contributions are to be added to the amounts made available by the AAA, and must be used to increase the number of meals served, facilitate access to meals, and/or provide other supportive services directly related to the service delivered when the contribution was made.
4. Have written personnel policies and documentation that support personnel practices for providers which include:
- a. Job descriptions or statements of job responsibilities including qualifications for each position involved in the delivery of services unless the business is a sole proprietorship;
 - b. Performance appraisals or a development plan for all employed or contract workers, and volunteers involved in providing service to participants unless the business is a sole proprietorship;
 - c. Prior to service provision, a provider staff signature and a date that indicates completion of orientation that includes:
 - i. Employee position description and expectations;
 - ii. Personnel Policies;
 - iii. Reporting Procedures and Policies;
 - iv. Table of Organization and Lines of Communication; and
 - iv. A code of ethics which declares that the provider staff shall not:

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- (a) Use the participant's vehicle;
 - (b) Consume the participant's food and drink without the participant's consent or the participant offering it;
 - (c) Use the participant's telephone for personal calls;
 - (d) Discuss personal problems or religious or political beliefs with the participant;
 - (e) Accept gifts or tips from the participant;
 - (f) Bring friends or relatives of the employee to the participant's home;
 - (g) Consume alcoholic beverages or use medicine or drugs for any purpose other than medical while in the participant's home or prior to the delivery of service;
 - (h) Smoke in the participant's home, with or without the participant's permission;
 - (i) Breach the participant's privacy or the confidentiality of participant records; and
 - (j) Bring or eat personal food in the participant's home without the participant's consent.
 - (k) A policy that assures that all participant information will remain confidential.
5. Deliver services in compliance with service specifications practices for providers.
6. Sign a contract with the Agency to deliver services. The provider shall:
- a. Maintain documentation demonstrating that all requirements outlined in service specifications have been met when delivered either directly or by sub-contract;

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- b. Allow access to the Agency and other representatives with a need to access the provider's facility, policies, procedures, records, and other documents related to the provision of Title III, SCS, Lucas County Senior Services Levy (LCSSL) and Alzheimer's Respite Services;
 - c. Demonstrate compliance regarding background investigations of direct service workers.
7. Failure to meet any of the requirements of these conditions may lead to termination of the Agency's contract with the Title III, SCS, LCSSL or Alzheimer's respite Service Provider.