AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #533552

Ohio Revised Code

Section 5164.41 Family caregiver oversight.

Effective: October 06, 2026
Legislation: Senate Bill 315 - 136th General Assembly

(A) As used in this section, "home and community-based services medicaid waiver component" has the same meaning as in section 5166.01 of the Revised Code.

(B) The department of medicaid shall establish oversight mechanisms concerning services provided by a family caregiver under a home and community-based services medicaid waiver component. Oversight may include any of the following:

(1) Quarterly audits;

(2) Enhanced check-in review;

(3) Annual recertification as a medicaid provider;

(4) Independent case manager verification;

(5) Caps on hours of compensated care absent documented medical necessity;

(6) Forensic review triggers;

(7) Background check monitoring pursuant to section 5164.341 of the Revised Code through the retained applicant fingerprint database established under section 109.5721 of the Revised Code.

(C) The department may require a family caregiver who the department considers to be high risk or who has repeatedly violated the department's requirements concerning family caregivers to provide services through a waiver agency as defined in section 5164.342 of the Revised Code, rather than as an independent provider.