

3701-19-31 Applicability of licensure requirements.

- (A) Every person or public agency that proposes to provide a pediatric respite care program shall apply to the director for a license in accordance with rule 3701-19-31 of the Administrative Code.
- (B) Except as provided in paragraph (C) of this rule, no person or public agency, other than a person or public agency licensed under section 3712.041 of the Revised Code and this chapter, shall hold itself out as providing a pediatric respite care program, or provide a pediatric respite care program, or use the term "pediatric respite care" or any term containing "pediatric respite care" to describe or refer to a health program, facility, or agency.
- (C) Paragraph (A) of this rule does not apply to any of the following:
 - (1) A hospital;
 - (2) A nursing home or residential care facility, as those terms are defined in section 3721.01 of the Revised Code;
 - (3) A home health agency, if it provides services under contract with a person or public agency providing a pediatric respite care program licensed under section 3712.041 of the Revised Code;
 - (4) A regional, state, or national nonprofit organization whose members are providers of pediatric respite care programs, individuals interested in pediatric respite care programs, or both, as long as the organization does not provide or represent that it provides pediatric respite care programs;
 - (5) A person or government entity certified under section 5123.161 of the Revised Code as a supported living provider;
 - (6) A residential facility licensed under section 5123.19 of the Revised Code;
 - (7) A respite care home certified under section 5126.05 of the Revised Code;
 - (8) A person providing respite care under a family support services program established under section 5126.11 of the Revised Code; or
 - (9) A person or government entity providing respite care under a medicaid waiver component that the department of developmental disabilities administers pursuant to section 5111.871 of the Revised Code.

Effective: 12/26/2013

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CERTIFIED ELECTRONICALLY

Certification

12/16/2013

Date

Promulgated Under: 119.03
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