

173-39-02.10

**ODA provider certification: Nutritional consultation service.**

- (A) "Nutritional consultation **service**" (aka, "medical nutrition therapy") means a service that provides individualized guidance to ~~a consumer~~ an individual who has special dietary needs. A nutritional consultation **service** takes into consideration the ~~consumer's~~ individual's health; cultural, religious, ethnic, socio-economic background; and dietary preferences and restrictions.
- (B) ~~Minimum requirements~~ Requirements for a nutritional consultation service in addition to the ~~conditions of participation~~ requirements for every provider under rule 173-39-02 of the Administrative Code:

(1) Physician's authorization:

- (a) Initial: If the provider receives a signed and dated authorization from the ~~consumer's~~ individual's treating physician (or another healthcare professional whose scope of practice includes authorizing nutritional consultations) indicating that the ~~consumer~~ individual needs a nutrition consultation service, the provider may begin to provide the nutrition consultation service, subject to the other requirements of this rule. The provider may continue to provide the nutrition consultation service for up to sixty days after the date of the physician's (or other healthcare professional's) authorization.
- (b) Subsequent: The provider may provide the nutrition consultation service for subsequent periods of up to sixty days only if the provider receives a subsequent signed and dated authorization from the physician (or another healthcare professional whose scope of practice includes authorizing nutritional consultations) indicating that the ~~consumer~~ individual continues to need a nutrition consultation service.

(2) Nutrition assessment:

- (a) The provider shall conduct an initial, individualized assessment of the ~~consumer's~~ individual's nutritional needs and, when necessary, subsequent nutrition assessments, using a tool that identifies whether the ~~consumer~~ individual is at nutritional risk or identifies a nutritional diagnosis that the dietitian will treat. The tool shall include:
- (i) An assessment of height and weight history;
- (ii) An assessment of the adequacy of nutrient intake;

- (iii) A review of medications, medical diagnoses, and diagnostic test results;
- (iv) An assessment of verbal, physical, and motor skills that may affect, or contribute to, nutrient needs;
- (v) An assessment of interactions with the caregiver during feeding; and,
- (vi) An assessment of the need for adaptive equipment, other community resources, or other services.

- (b) The provider shall furnish the case manager and the ~~consumer~~ individual with a copy of the nutrition assessment no later than seven business days after the provider completes the assessment.

(3) Nutrition intervention plan:

- (a) The provider shall develop, evaluate, and revise, as necessary, a nutrition intervention plan with the ~~consumer's~~ individual's and case manager's assistance and, when applicable, the treating physician and other relevant service providers. In the plan, the provider shall outline the purposely-planned actions for changing nutrition-related behavior, risk factors, environmental conditions, or health status, which, at a minimum, shall include the consumer's:
  - (i) Food and diet modifications;
  - (ii) Specific nutrients to require or limit;
  - (iii) Feeding modality;
  - (iv) Nutrition education and counseling; and,
  - (v) Expected measurable indicators and outcomes related to the ~~consumer's~~ individual's nutritional goals.
- (b) The provider shall use the nutrition intervention plan to prioritize and address the identified nutrition problems.

- (c) The provider shall furnish the case manager and the ~~consumer~~ individual with a copy of the nutrition intervention plan no later than seven business days after the provider develops or revises the plan.

(4) Clinical record:

- (a) The provider shall develop and retain a clinical record for each ~~consumer~~ individual that includes the consumer's:
  - (i) Identifying information, including name, address, date of birth, sex, race, marital status, significant phone numbers, and health insurance identification numbers;
  - (ii) Medical history;
  - (iii) Treating physician's name;
  - (iv) Treating physician's authorization for a nutritional consultation service that is required under paragraph (B)(1) of this rule;
  - (v) Service plan (initial and revised versions);
  - (vi) Nutrition assessment (initial and revised versions);
  - (vii) Plan of care for nutrition consultation services (initial and revised versions), specifying the type, frequency, scope, and duration of the services to perform;
  - (viii) Nutrition intervention plan (initial and revised versions that were implemented);
  - (ix) Food and drug interactions (e.g., "Don't take pills with milk."), allergies, and dietary restrictions;
  - (x) Discharge summary, which the dietitian who provided the service shall sign and date at the point he or she is no longer going to provide the service to the ~~consumer~~ individual or the ~~consumer~~ individual no longer needs the service. The summary shall indicate what progress the ~~consumer~~ individual made towards achieving the measurable outcomes of the ~~consumer's~~ individual's

nutritional goals and any recommended follow-up consultations or referrals.

- (b) The provider may use a technology-based system to develop and retain the clinical record.

(5) Limitations:

- (a) The provider shall not provide the service to a ~~consumer~~ individual in excess of what the case manager authorizes in the ~~consumer's~~ individual's service plan.
- (b) The provider shall only bill ~~the PAA~~ ODA's designee for the service provided under the PASSPORT program if the case manager identifies the provider in the service order for the consumer.
- (c) The provider shall not provide the service to a ~~consumer~~ individual if the ~~consumer~~ individual is receiving a similar service under Chapter 173-39 of the Administrative Code.

(6) Provider qualifications: ~~An individual~~ A person shall provide this service only if:

- (a) An agency that ODA certifies as an agency provider employs the ~~individual~~ person, or ODA certifies the ~~individual~~ person as a non-agency provider; and,
- (b) The ~~individual~~ person is registered by the commission on dietetic registration and maintains a license in good standing with the Ohio board of dietetics.

(7) Service verification:

- (a) For each episode of service provided, the provider shall retain a record of the:
  - (i) ~~Consumer's~~ Individual's name;
  - (ii) Date of service;
  - (iii) Time of day that each service begins and ends;

(iv) Name and signature of individual providing the consultation; and,

(v) ~~Consumer's~~ Individual's signature. The case manager shall record the ~~consumer's~~ individual's signature of choice in the ~~consumer's~~ Individual's service plan. The signature of choice may include a handwritten signature; initials; stamp or mark; or electronic signature.

(b) The provider may use a technology-based system to collect or retain the records required under this rule.

~~(c) The provider shall retain records required under this rule and provide access to those records for monitoring according to paragraph (B)(5) of rule 173-39-02 of the Administrative Code.~~

(C) Unit and rate:

(1) A unit of a nutritional consultation service is equal to fifteen minutes.

(2) The maximum rate allowable for a unit of the service is listed in rule ~~5101-3-1-06.1~~ 5160-1-06.1 of the Administrative Code.

(3) The rate is subject to the rate-setting methodology in rule 5160-31-07 of the Administrative Code.