

173-39-02.3 **Pest control service.**

(A) "Pest control ~~service~~" means a service that improves, restores, or maintains a clean, sanitary, and safe living environment through the performance of tasks in the home that are beyond the consumer's capability and the removal of pests posing a threat to the consumer's health and welfare.

(B) Eligibility: A consumer is only eligible for the service if:

- (1) Neither the consumer, nor anyone else in the consumer's home, is capable of performing or financially providing for the services;
- (2) No other relative, caregiver, community/volunteer agency, or third-party payer is capable of, or responsible for, their provision; and,
- (3) No other person (e.g., a landlord) has a legal or contractual responsibility to perform the job.

(C) Requirements for a pest control ~~service~~ in addition to the conditions of participation under rule 173-39-02 of the Administrative Code:

(1) ~~Cost estimate~~ Estimate: Upon a consumer's initial request:

(a) If the provider is a consumer-directed provider, upon a consumer's initial request:

~~(a)(i)~~ (i) Each agency provider shall furnish ~~ODA's designee~~ the consumer with a verbal estimate ~~of the cost of the service.~~

~~(b)(ii)~~ (ii) Each non-agency provider shall furnish the consumer with a verbal estimate ~~of the cost of the service.~~

(b) Each provider that is not a consumer-directed provider shall furnish ODA's designee with a verbal estimate upon the request of ODA's designee.

(2) Written price quote:

(a) If the provider is a consumer-directed provider, upon a consumer's initial request:

~~(a)(i)~~ (i) Each agency provider shall furnish ~~ODA's designee~~ the consumer with a written price quote no later than seven days after the

consumer initially requests the service. ~~The provider shall not charge more than the amount of the original price quote that it submits to ODA's designee.~~

~~(b)(ii)~~ Each non-agency provider shall furnish the consumer with a written price quote no later than seven days after the consumer initially requests the service, unless the consumer establishes an alternative time period for providing the written price quote. ~~The provider shall not charge more than the original price quote he or she submits to the consumer.~~

(b) Each provider that is not a consumer-directed provider shall furnish ODA's designee with a written price quote no later than seven days after ODA's designee requests the service.

(3) Safety:

- (a) The provider shall retain, and furnish to the consumer and/or ODA's designee, upon request, a list of the chemical(s) or substance(s) used for each job order.
- (b) The provider shall inform the consumer and ODA's designee of any specific health or safety risks expected during the job project, and assist the case manager to coordinate times and dates of service to insure minimal risk of hazard to the consumer as applicable to each job.
- (c) The provider shall comply with any applicable local codes or ordinances in the performance of each job order.
- (d) The provider shall furnish a warranty to ODA's designee that covers the workmanship and materials involved in the service provided.

(4) Provider qualifications:

- (a) Type of provider: Only an agency that ODA certifies as an agency provider or a person that ODA certifies as a non-agency provider shall ~~provide~~ furnish this service.
- (b) Licensure: The provider shall ~~maintain~~ hold a ~~current and valid commercial pesticide applicator license and a pesticide application business license from the Ohio department of agriculture~~ with the Ohio department of agriculture or Ohio department of natural resources to

practice the type of pest control that it furnishes to consumers, if the type of pest control that the provider furnishes requires licensure.

(5) Service verification:

(a) After the provider completes a job order, the provider shall retain a record of the:

(i) Consumer's name;

(ii) Date of service;

(iii) Service description, including a comparison between the job order and the completed job;

(iv) Provider's signature; and,

(v) Consumer's signature. The case manager shall record the consumer's signature of choice in the consumer'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 agency provider shall retain records required under this rule according to paragraph (B)(5) of rule 173-39-02 of the Administrative Code and the non-agency provider shall retain records required under this rule according to paragraph (C)(5) of rule 173-39-02 of the Administrative Code.

(D) Units and rates: ~~A unit of pest control service is one job order, with the unit rate being the price quoted by a qualified provider and accepted by the consumer.~~

(1) One unit of pest control is equal to one completed job order of pest control.

(2) The maximum amount allowable for a unit is the provider's written price quote, so long as the price does not exceed the maximum amount allowable amount in paragraph (D)(3) of this rule.

(3) The maximum amount allowable for a unit is established in appendix A to rule 5160-1-06.1 of the Administrative Code.

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Certification

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