

*****DRAFT - NOT FOR FILING*****

173-4-03 Enrollment process.

(A) Congregate nutrition program: Before enrolling a person into a congregate nutrition program, the provider of the program, the AAA, or another entity designated by the AAA, shall ensure that the person who desires to enroll in the program meets the eligibility criteria for a congregate nutrition program in rule 173-4-02 of the Administrative Code.

(B) Home-delivered nutrition program:

- (1) Before enrolling a person into a home-delivered nutrition program, the provider of the program shall ensure that the person who desires to enroll in the program meets the eligibility criteria for a home-delivered nutrition program under rule 173-4-02 of the Administrative Code.
- (2) The AAA may establish criteria for initial and annual eligibility assessments that a provider may conduct by telephone with a consumer or a consumer's family caregiver. Face-to-face assessments are preferred.
- (3) For any person who is discharged from a hospital or nursing home, the AAA may deem that the discharge summary from the hospital or nursing home complies with paragraphs (B)(1)(a) and (B)(1)(b) of rule 173-4-02 of the Administrative Code for seven calendar days following the discharge so that the person may receive home-delivered meals immediately following the discharge. A provider may only deliver meals after the thirtieth calendar day following the discharge if an assessment is performed that verifies that the person who desires to receive home-delivered meals meets the eligibility criteria for a home-delivered nutrition program under rule 173-4-02 of the Administrative Code.

(C) If a waiting list for enrollment into a congregate nutrition program or a home-delivered nutrition program exists, the provider shall develop a prioritization system that distributes meals equitably by prioritizing persons who are determined to have high nutritional risk. At a minimum, the provider shall base the nutritional risk status of a person upon the following:

- (1) The nutritional risk status of the consumer as determined by a nutrition health screening service conducted under rule 173-4-08 of the Administrative Code;
- (2) The nutritional risk status of a married couple is determined by the spouse with the higher nutritional risk; or,
- (3) The income of the person, since the person with the lowest income should receive the service before those with higher incomes, although income level is not a criterion for eligibility for this service.

Comment [ODA1]: FOR RESCISSION. Please see the proposed new version of the rule.

Comment [ODA2]: This paragraph is unnecessary. The nutrition health screening ask if a person is unable to afford meals. The Older Americans Act prohibits means testing.