
CHAPTER 38: RESIDENTIAL OPTIONS WAIVER

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STAFFING REQUIREMENTS

The Department of Health and Hospitals (DHH) has the responsibility to establish reasonable qualifications for providers to ensure that they are capable of providing services of acceptable quality to recipients. The provider qualifications delineated in this section are dictated by the needs of the population to be served, and by the duties and responsibilities inherent in the provision of services as defined by DHH. DHH has established these staffing requirements to maintain an adequate level of quality, efficiency, and professionalism in the provision of all services in the Residential Options Waiver (ROW) program.

The following exclusions apply to ROW services:

- Reimbursement shall not be paid for services furnished by a legally responsible relative. A legally responsible relative is defined as the parent of a minor child, foster parent, curator, tutor, legal guardian, or the recipient's spouse.
- Service may be provided by a member of the recipient's family, provided that the recipient does not live in the family member's residence and the family member is not the legally responsible relative as defined above.
- Family members who provide residential services must meet the same standards as providers or direct care staff who are unrelated to the individual.

Host Home (Substitute Family Care)

Immediate family members, such as a recipient's mother, father, brother, sister, spouse or curator, cannot be Substitute Family Care parents.