



LCBDD News & Updates!

Hello, Provider Partners! Sending along a bunch info. for you. Please let me know if you have question on any of it.

Thanks,

David

Managing Service Locations for Vocational Habilitation and Adult Day Support

Providers of Adult Day Support and Vocational Habilitation need to add all locations where facility-based services are provided into the Provider Services Management (PSM) application no later than **March 1, 2018**.

[Download](#) these step by step instructions for managing service locations in PSM.

Still need help?

Contact the Information Technology Services Call Center at 1-800-617-6733, option 4 or ITSCallCenter@dodd.ohio.gov.

2018 Transformation Series

Registration – NOW OPEN!

The 2018 Transformation Series is an opportunity for provider agencies to gather and share ideas, strategies, and practices that will assist them as they move through the systems change process and help improve person-centered planning, community membership, and employment opportunities for individuals across Ohio. For full info: <https://mailchi.mp/ocali/2018-transformation-summit-2686233?e=5fb999aaf0>

Phase 1: Transformation At-A-Glance Visits

Get a first-hand view of the work of provider agencies across Ohio!

Thinking about becoming involved in the systems change process? Visit and learn from those provider



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organizations in your own region or across the state that have started to shift their service models. Onsite and virtual site visit options are available.

What: Transformation At-A-Glance Visits

When: March 5 - April 13, 2018

Where: Online and various locations throughout Ohio

Cost: Free

Phase 2: 2018 Transformation Summit

After your site visit, get ready to meet up with colleagues from across the state!

The 2018 Transformation Summit builds on the site visit experience through a single-day highly interactive and participatory event where agency providers work directly with transformation subject matter experts (SMEs) and connect with agency peers to continue the conversations and planning processes

What: 2018 Transformation Summit: Building Innovative Service Models

When: 10:00 am - 3:00 pm | Friday, April 20, 2018

Registration and breakfast: 9:00 - 10:00 am

Where: Embassy Suites – Dublin, OH

Cost: Free (*includes continental breakfast and lunch*)

Transportation Rules affecting Agency Providers

The attached information on Transportation rules came from our friends at OPRA. It compares DODD and Federal/State requirements. It may not apply to your given situation but is good to take a look and make sure.

Job Developer Training and Resume Development Videos

OOD staff conducted Job Developer and Resume Building trainings that are now available for viewing on [YouTube](#). The trainings are designed to educate job developers and other providers on expectations of job developers, performance-based services and resume writing.

Direct Support Professionals hiring efforts kick into gear!

One of the fine DSPs in our county found the attached ad in their local laundromat and sent us a picture! This is part of a state-wide effort to raise awareness of the Direct Support profession. Thanks to all of you who participated in the photoshoots for our local efforts. Be on the lookout for a DSP billboard in March!

Transportation Rules Affecting Agency Providers

January, 26, 2018

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Transportation Rules

- Agency Providers must adhere to both state and federal law when providing transportation to consumers.
- Agencies must look at both the Transportation Rules put into place by DODD, as well as the rules governing commercial motor vehicles.
- Laws are separate, and have different requirements.
- Must be analyzed to determine whether they are applicable to your given situation.

Ohio Transportation Rules

NMT

- Agency ensure that each driver holds a valid driver's license.
- Have or ensure that each driver has valid liability insurance.
- Obtain a driving record from the BMV no earlier than 14 calendar days prior to the date of initial employment as a driver and once every 3 years thereafter.

HPC

- Agency ensure that each driver holds a valid driver's license.
- Have or ensure that each driver has valid liability insurance.
- Obtain a driving record from the BMV no earlier than 14 calendar days prior to the date of initial employment as a driver and once every 3 years thereafter.

Ohio Transportation Rules

NMT

- A person having 6 or more points may not provide NMT.
- Require each driver to notify Agency in writing if the driver accumulates 6 or more points, or if driver's license is suspended or revoked.

HPC

- A person having 6 or more points may not provide transport.
- Require each driver to notify Agency in writing if the driver accumulates 6 or more points, or if driver's license is suspended or revoked.

Ohio Transportation Rules

NMT

- Driver shall provide a form completed and signed by a person who is licensed to perform a physical exam, stating that the driver is physically qualified to provide NMT.

HPC

- No similar requirement.

Ohio Transportation Rules

NMT

- Develop and implement written policies regarding vehicle accessibility, maintenance, and requirements for vehicle drivers.
- Ensure that each driver is tested for controlled substances and determined to be drug free before providing NMT.

HPC

- Develop and implement written policies regarding vehicle accessibility, maintenance, and requirements for vehicle drivers.
- No drug testing rule.

Ohio Transportation Rules

NMT

- Driver involved in an accident while providing NMT-have driver tested for controlled substances within 32 hrs. of accident and for blood alcohol level within 8 hrs. when:
 - Accident involves loss of life.
 - BI to person who receives medical treatment.
 - One or more vehicles disabled at the scene.

HPC

- No similar requirement.

Ohio Transportation Rules

NMT

- Vehicle used for NMT shall be equipped with:
 - Secure storage space for removable equipment and passenger property.
 - Communication system that may include cellular communication, capable of 2 way communication.
 - Fire extinguisher and a first-aid kit that are safely secured.

HPC

- No similar requirement.

Ohio Transportation Rules

NMT

- On each day a vehicle is used for NMT, the first driver shall conduct and document inspection & testing of lights, wipers, emergency equipment, horn, tires and brakes.
- A vehicle used for NMT must be inspected by the Ohio state highway patrol inspection unit or a certified mechanic at least once every 12 months.

HPC

- No similar requirement.
- No similar requirement.

Ohio Transportation Rules

- Both NMT and HPC Transport Rules allow “commercial vehicles” to be used for these forms of transport.
- Defined as: buses, light rail transit, livery vehicles and taxicabs that are available for public use.
- Paid at the rate they charge to the general public.
- A “commercial vehicle” is **NOT** the same as a “commercial **motor** vehicle.”

Commercial Motor Vehicle Laws

- Federal laws – mostly aimed at trucking and bus industry.
- Laws are based on the vehicles, and the purpose for which the vehicle is utilized.
- Federal laws apply to interstate commerce (vehicles that travel between states).
- **HOWEVER....**

Commercial Motor Vehicles

- Ohio has adopted the Federal laws as they apply to intrastate commerce (vehicles that travel within the state of Ohio).
- In Ohio, the laws are enforced by the Public Utilities Commission of Ohio (PUCO) and the Ohio State Highway Patrol.

Commercial Motor Vehicles - Defined

- Vehicles with a gross vehicle weight rating that is 10,001 pounds or more; or
- Vehicles *designed or used* to transport more than 8 passengers, including the driver *for compensation*; or
- Vehicles *designed or used* to transport more than 15 passengers, including the driver *not for compensation*.

Markings on CMVs

- Legal name or trade name of the corporation or Provider operating the motor vehicle.
- The ID number issued by the PUCO, or the ID number issued by the USDOT.
- Marking must appear on both sides of the vehicle in letters that contrast sharply with the background.
- Must be legible during daylight hours from a distance of 50 feet while the vehicle is stationary.

CMV Registration Requirements

- For hire CMVs that transport passengers and operate solely within the state of OH must register with the PUCO.
- Annual Registration May 1 to July 1.
- Proof of registration must be kept in the vehicle.
- Annual tax fees per vehicle:
 - \$30 each for tractor, vehicle tractor pulling a trailer, tow vehicle or bus.
 - \$20 each for straight vehicle, van, car etc.

CMV Insurance Requirements

- Intrastate for-hire carriers of passengers – seating capacity of 15 or less:
 - \$1,500,000.
- Intrastate for hire carriers of passengers – seating capacity of 16 or more:
 - \$5,000,000.
- Proof of Insurance must be kept in the vehicle.

CMV Inspection Requirement

- At least every 12 months, the vehicle shall be inspected by the Ohio State Highway Patrol Safety Inspection Unit or a certified mechanic and determined to be in good working condition.
- Proof of inspection must be kept in the vehicle.

CMV Requirements – Job Application

- Signature of applicant & certification that application is true and complete.
- Name and address of agency.
- Applicant's name, DOB and SS#.
- Addresses where the applicant has resided for past 3 years.
- Application date.
- Issuing state, number and expiration of each unexpired CMV operator's license or permit issued to the applicant.

CMV Requirements – Job Application

- Nature and extent of applicant's experience with CMVs including the types of equipment operated.
- List of all MVAs in which the applicant has been involved during the last 3 years, including dates, and injuries.
- List of all violations of motor vehicle laws (other than parking violations) of which the applicant was convicted or forfeited bond for the prior 3 years.

CMV Requirements – Job Application

- Statement setting forth in in detail the facts and circumstances of any denial, revocation, or suspension of any license, permit, or privilege to operate a motor vehicle, or a statement that no such denial, revocation or suspension has occurred.
- A list of the names and addresses of the applicant's employers for the prior 3 yrs., the dates of employment and reasons for leaving employment.

Motor Vehicle Records Checks for Drivers of CMVs

- Required to check driving record of potential employee in each state where the driver had a driver's license for the past 3 years.
- If the driver previously worked for another Agency or company that was regulated by the DOT, the Agency must investigate the driver's performance with those other agencies.
- Notes regarding this investigation and a copy of the driving record should be placed in the employee's file within 30 days of hire.

Motor Vehicle Records Checks for Drivers of CMVs

- At least once every 12 months drivers must furnish their employers with a list of all violations of motor vehicle traffic laws where the driver was convicted or for which he/she forfeited bond or collateral for the past 12 months.
- Employers of CMV drivers must check their driving records every 12 months.
- Keep all records in the driver file for the employee.

Disqualifying Offenses – CMV Drivers

- Driving a CMV with alcohol concentration of 0.04% or more.
- Driving any vehicle under the influence of alcohol pursuant to state law.
- Refusal to undergo drug or alcohol testing.
- Driving under the influence of a Schedule 1 controlled substance, an amphetamine, a narcotic, a formulation of an amphetamine or derivative of a narcotic drug.

Disqualifying Offenses – CMV Drivers

- Leaving the scene of an accident while driving a CMV.
- A felony involving a CMV.
- Conviction of texting while driving a CMV.
- Conviction for violation of the restriction on using a hand held mobile telephone while driving a CMV.

Physical Requirements – CMV Drivers

- Drivers of CMV's must have a special medical exam performed by a licensed medical examiner
- Required every 24 months.
- Approved examiners are listed on the Department of Transportation Website:
- <https://nationalregistry.fmcsa.dot.gov>
- Drivers must carry their certificate.

Road Test Requirements

- Performed in type of vehicle to which driver will be assigned.
- Placing the vehicle in operation.
- Use of CMV controls and emergency equipment.
- Operating the CMV in traffic.
- Turning, braking and slowing the CMV.
- Backing and parking.

Certification of Road Test

- A Form should be completed by the Agency and kept in the employee's file and should include the following:
 - Driver's name, SS#, Driver's license #.
 - Type of vehicle used for the test.
 - How many miles driven during test.
 - Date of test.
 - Certification from the person giving the test.
 - Signature of person who gave the test.

When does a Driver need a Commercial Driver's License?

- CDL's are issued to an individual and authorize them to drive a certain class of CMVs.
- If the gross combination weight rating or gross combination weight of the vehicle is 26,001 lbs. or more; or
- The motor vehicle is designed to transport 16 or more passengers, including the driver; or
- The vehicle is transporting hazardous materials.

Questions

- When I look on the DOT website, it says that the definition of a CMV applies to only those vehicles involved in **interstate** commerce. Why are you saying that these apply to us?
- Ohio Administrative Code Section 4901:2-5-03 adopts the safety standards, provisions and regulations of the USDOT, and says they apply to all motor carriers operating in intrastate commerce.

Questions

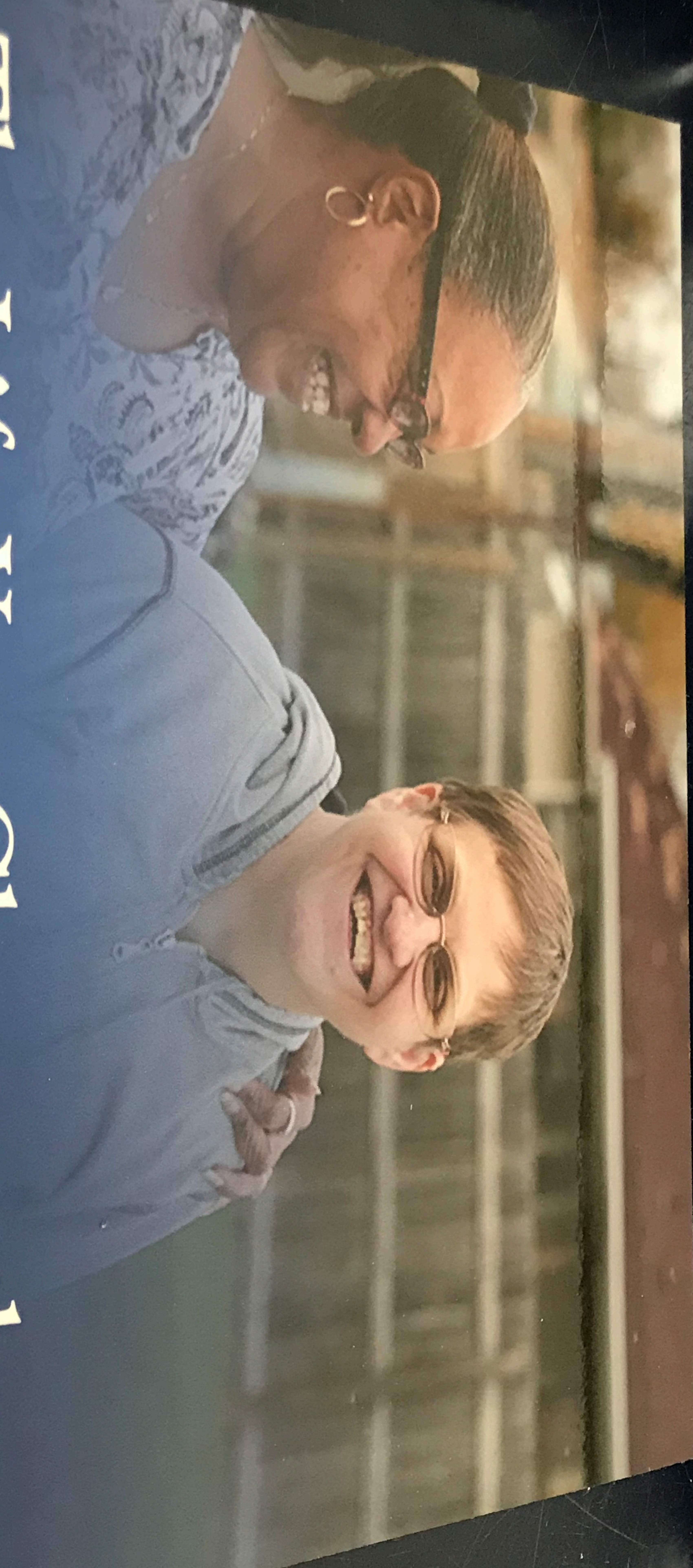
- Do these rules apply to other forms of transportation?
- Do your 2 step analysis:
 - Is there a rule governing that form of transportation? If so – follow that rule.
 - Is the transportation occurring in an CMV? If so – follow those rules *as well*.

Questions

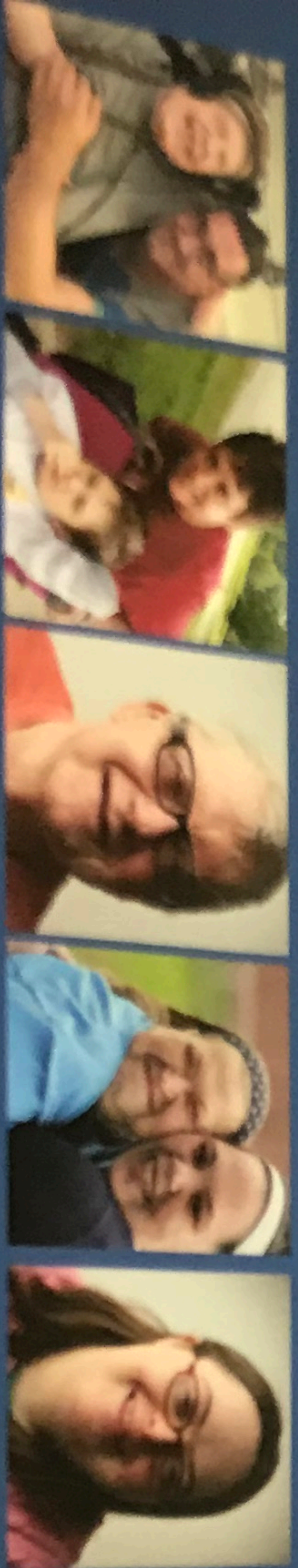
- I heard that OPRA is working on a legislative fix? Should I just sit tight and ignore the rules where I am out of compliance?
- Do your best to get into compliance as soon as you can.
- Legislative fix is not guaranteed, and we are not sure that the fix would change your need to comply with all of the CMV requirements.

Questions?

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The Life You Change the Most Might be Your Own



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