**AN AGENCY IS ABLE TO HIRE AN EMPLOYEE 16 YEARS AND OLDER**

(17) An agency provider shall ensure that each employee, contractor, and employee of a contractor engaged in a direct services position:

(a) Is at least sixteen of age or older.

(b) Has a valid social security number and one of the following forms of identification:

(i) State of Ohio identification;

(ii) Valid driver's license; or

(iii) Other government-issued photo identification.

(c) Holds a high school diploma or general education development certificate, employees 16 and 17 years of age must be working towards a high school diploma or a general education development certificate, except for:

(i) Persons who, on September 30, 2009, held independent provider certification issued by the department; and

(ii) Persons who, on September 30, 2009, were employed by or under contract with an agency provider certified by the department.

(d) Is able to read, write, and understand English at a level sufficient to comply with all requirements set forth in administrative rules governing the services provided.

(e) Employees 16 and 17 years of age will need to demonstrate through a letter from their high school or educational institution that they have maintained a “C” average and has an attendance record of 85% or better.

(f) Employees 16 and 17 years of age must be able to produce a letter of good standings from a teacher or representative from their educational institution.

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(e) Holds valid "American Red Cross" or equivalent certification in first aid which includes an in-person skills assessment completed with an approved trainer, except for employees, contractors, and employees of contractors engaged in provision of services exempted in accordance with paragraph (E)(1) or (E)(2) of this rule.

(f) Holds valid "American Red Cross" or equivalent certification in cardiopulmonary resuscitation which includes an in-person skills assessment completed with an approved trainer, except for employees, contractors, and employees of contractors engaged in provision of services exempted in accordance with paragraph (E)(1) or (E)(2) of this rule.

(g) Successfully completes, prior to providing direct services, eight hours of training in accordance with standards established by the department that addresses the following topics, except for employees, contractors, and employees of contractors engaged in provision of services exempted in accordance with paragraph (E)(1) of this rule:

(i) Overview of serving individuals with developmental disabilities including implementation of individual service plans;

(ii) The role and responsibilities of direct services staff with regard to services including person-centered planning, community integration, self-determination, and self-advocacy;

(iii) Universal precautions for infection control including hand washing and the disposal of bodily waste;

(iv) The rights of individuals set forth in sections 5123.62 to 5123.64 of the Revised Code; and

(v) The requirements of rule 5123:2-17-02 of the Administrative Code including a review of health and welfare alerts issued by the department.

(h) Successfully completes, prior to providing direct services, training specific to each individual he or she will support that includes:

(i) What is important to the individual and what is important for the individual; and

(ii) The individual's support needs including, as applicable, behavioral support strategy, management of the individual's funds, and medication administration/delegated nursing.

(iii) For employees 16 to 17 years of age, they must complete the 60 hours of approved training by DODD prior to working with any individuals with disabilities. **????**

(iiii) Employees 16 to 17 years of age will be required not to work alone for one year, after their first year of employment working on average 20 hours per week, a review will be required of their job performance. At that time, the agency will determine if the employee has the skill sets to work independently in a one to one or two to one setting.

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(i) If he or she supervises staff in direct services positions, successfully completes within ninety days of becoming a supervisor, training in accordance with the agency provider's policies and procedures regarding:

(i) Service documentation;

(ii) Billing for services; and

(iii) Management of individuals' funds.

(j) Successfully completes, commencing in the second year of employment or contract, annual training in accordance with standards established by the department in:

(i) The role and responsibilities of direct services staff with regard to services including person-centered planning, community integration, self-determination, and self-advocacy;

(ii) The rights of individuals set forth in sections 5123.62 to 5123.64 of the Revised Code; and

(iii) The requirements of rule 5123:2-17-02 of the Administrative Code including a review of health and welfare alerts issued by the department since the previous year's training.

(E) Exemptions from some requirements for providers of some home and community-based services

(1) Independent providers and the employees, contractors, and employees of contractors of agency providers of the following home and community-based services are exempt from the requirements to hold first aid certification set forth, as applicable, in paragraph (C)(1)(e) or (D)(17)(e) of this rule; to hold cardiopulmonary resuscitation certification set forth, as applicable, in paragraph (C)(1)(f) or (D)(17)(f) of this rule; and to complete eight hours of training set forth, as applicable, in paragraph (C)(2)(b) or (D)(17)(g) of this rule except that each independent provider and each employee, contractor, and employee of a contractor who is engaged in a direct services position shall complete training in the requirements of rule 5123:2-17-02 of the Administrative Code: