

# **OPRA Residential Resources Committee Meeting April 15, 2026**

9:30am – 11am (Residential Waiver)  
11:00am – 11:30am (General Updates)  
11:30am – 1pm (ICF)



# Agenda

## **Residential Waiver (9:30am – 11:00am)**

InterRAI

Waiver rules packages

A/V Rule as it applies to HCBS

County Boards and waiver changes, larger settings

CCA Funds

Hot Topics / Surveys

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## **General Information and Updates (11:00am – 11:30am)**

Department updates, Stephanie Deters

Upcoming dates

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## **ICF (11:30am – 1:00pm)**

A/V Rule as it applies to ICFs

Cost Report Trends

Opportunities for crossover work with Biz Ops committee

InterRAI and ICFs

Hot Topics / Surveys / DRO

# Residential Waiver

- InterRAI
- Waiver Rules Packages
- A/V rule as it applies to HCBS
- County Boards and waiver changes, larger settings
- CCA Funds
- Hot Topics / Surveys

# July 1<sup>st</sup> HCBS Rule Package

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5123-9-06 (Administration of IO/L1)

5123-9-14 (Vocational habilitation)

5123-9-17 (Adult Day Support)

5123-9-19 (General requirements ADS, VH, CP, IES, GES, NMT)

5123-9-35 (Remote Support)

5123-9-40 (Administration of self-empowered life funding waiver)

5123-6-03 (Medication Administration)

# 5123-2-10 Use of A/V Devices

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## Scope of Rule

- Applies when an individual receives HCBS or County Board-funded services;
- OR when an individual resides in an ICF
- **Cannot ever be used in a bathroom**
- **(ICF only) – Cannot use in areas used for private visitation/private phone**

## AND the Audio / Visual Device is:

- Located in an individual's bedroom; and/or
- Used as a rights restriction

# 5123-2-10 Use of A/V Devices

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## What Counts as an A/V Device?

- Any device that RECORDS, STORES, MONITORS, or CAPTURES A/V
- Includes personal devices used for remote monitoring support

## What's NOT included?

- Simple sensors with no camera function (i.e. fall sensor, seizure mat)
- Non-identifiable tech (thermal detection, motion capture)
- Doorbell cameras, outside security cameras
- Personal devices for everyday communication

# 5123-2-10 Use of A/V Devices

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## Before use of an A/V device, the team must:

- Alternative strategies attempted and ineffective;
- How will device meet individual's assessed needs;
- Whether device will increase independence and decrease the need for in-person supports.
- Device to be used and whether continuously or automatically records.
- Where, when, and how it will be used.
- Who has access to the footage; how long is footage retained; destruction?
- Privacy protections and security/storage as per federal and state law.

# 5123-2-10 Use of A/V Devices

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## Human Rights Committee:

- HRC approval is **REQUIRED**
- HRC must show review that less restrictive options tried; clear justification; plan to address objections; must be documented in OISP.

## Consents:

- From individual/guardian (and others sharing the same space) **PRIOR** to use;
- Consent must explain who can view/listen, description of what is being recorded, how the device will record.

# 5123-2-10 Use of A/V Devices

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## Ongoing Requirements:

- Must be reviewed at least annually;
- HRC must re-approve continued use;
- Must demonstrate that it is still effective.

## Recording Rules:

- 30-day retention limit; can be kept longer with justified need; must document need to keep;
- Must provide recordings for MUIs.

# 5123-2-10 Use of A/V Devices

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## Individual Rights:

- Individual / guardian can request device be turned off;
- Access to recordings;
- Can request destruction of footage;
- Have access to procedure to follow for request to turn device off.

# Use of Audio/Visual Devices in Residential Settings

## Quick Tip Questions

- Alternative strategies and their effectiveness.
- How will using A/V meet the individual's need?
- Will A/V tech increase their independence and decrease in-person supports?
- Identify the specific type of tech utilized and whether use is continuous or automatic.
- Where specifically will the device be used?
- Time of day / type of activity when in use; how is it deactivated?
- Measures to ensure privacy
- Procedure if individual or guardian requests device be discontinued
- Identify how long the video is retained

# General Updates and Information (11am – 11:30am)

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- Upcoming Important Dates
- DODD Updates

# ICF

- A/V Rule as it applies to ICFs
- Peer Group 6
- Cost Report Trends
- Opportunities for crossover work with Biz Ops committee
- InterRAI and ICFs
- Hot Topics / Surveys / DRO

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# Next Residential Resources Meeting

## June 17, 2026

9:30am – 11am (Residential Waiver)  
11:00am – 11:30am (General Updates)  
11:30am – 1pm (ICF)

