PASSPORT ETHICAL STANDARDS & Confidentiality
EFFECTIVE 11/08/2020

FOR AGENCIES, NON AGENCIES, ASSISTED LIVING AND PARTICIPANT DIRECTED PROVIDERS

173-39-02 (B) Requirements for every type of provider to remain certified:

(4)Confidentiality: The provider is subject to all state and federal laws and regulations governing individual confidentiality including sections 5160.45 to 5160.481 of the Revised Code, 42 C.F.R. 431.300 to 431.307, and 45 C.F.R. parts 160, 162, and 164.

(8) Ethical, professional, respectful, and legal service standards: The provider shall not engage in any unethical, unprofessional, disrespectful, or illegal behavior including the following:

(a) Consuming alcohol while providing services to the individual.

(b) Consuming medicine, drugs, or other chemical substances in a way that is illegal, unprescribed, or impairs the provider from providing services to the individual.

(c) Accepting, obtaining, or attempting to obtain money, or anything of value, including gifts or tips, from the individual or his or her household or family members.

(d) Engaging the individual in sexual conduct, or in conduct a reasonable person would interpret as sexual in nature, even if the conduct is consensual.

(e) Leaving the individual's home when scheduled to provide a service for a purpose not related to providing the service without notifying the agency supervisor, the individual's emergency contact person, any identified caregiver, or ODA's designee.
(f) Treating ODA or its designee disrespectfully.

(g) Engaging in any activity while providing a service that may distract the provider from providing the service including the following:

(i) *Watching television, movies, videos, or playing games on computers, personal phones, or other electronic devices whether owned by the individual, provider, or the provider's staff.*

(ii) *Non-care-related socialization with a person other than the individual (e.g., a visit from a person who is not providing care to the individual; making or receiving a personal telephone call; or, sending or receiving a personal text message, email, or video).*

(iii) *Providing care to a person other than the individual.*

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    (iv) *Smoking tobacco or any other material in any type of smoking equipment, including cigarettes, electronic cigarettes, vaporizers, hookahs, cigars, or pipes.*

    (v) *Sleeping.*

    (vi) *Bringing a child, friend, relative, or anyone else, or a pet, to the individual's place of residence.*

    (vii) *Discussing religion or politics with the individual and others.*

    (viii) *Discussing personal issues with the individual or any other person.*

(h)   Engaging in behavior that causes, or may cause, physical, verbal, mental, or emotional distress or abuse to the individual including publishing photos of the individual on social media without the individual's written consent.

(i)   Engaging in behavior a reasonable person would interpret as inappropriate involvement in the individual's personal relationships.

(j)   Making decisions, or being designated to make decisions, for the individual in any capacity involving a declaration for mental health treatment, power of attorney, durable power of attorney, guardianship, or authorized representative.

(k)   Selling to, or purchasing from, the individual products or personal items, unless the provider is the individual's family member who does so only when not providing services.

(l)   Consuming the individual's food or drink, or using the individual's personal property without his or her consent.

(m)   Taking the individual to the provider's business site, unless the business site is an ADS center, RCF, or (if the provider is a participant-directed provider) the individual's home.

(n)   Engaging in behavior constituting a conflict of interest, or taking advantage of, or manipulating services resulting in an unintended advantage for personal gain that has detrimental results to the individual, the individual's family or caregivers, or another provider.

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Employee Signature   Date

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Employee Name Printed