

**Position Statements on Practice**

**Contracting Licensed Respiratory Care  
Professionals by Licensed or Certificate of  
Registration Holding Home Medical Equipment  
Service Providers**

Original position issued: October 13, 2010

Position:

In response to inquiries concerning the use of contracted licensed respiratory care professionals (RCP) by Licensed or Certificate of Registration Holding Home Medical Equipment Providers, the Ohio Respiratory Care Board finds no prohibition under Chapter 4761 or 4752 of the Revised Code, when the RCP is contracted to provide a licensed service in accordance with Section 4761 of the Revised Code. This position statement is developed in response to Revised Medicare DMEPOS provider standard 1, CFR Sec. 424.57(c)(1)(ii)(C) (eff. August 27, 2010).

Licensed Home Medical Equipment Service providers that intend to contract staff must meet the standards for personnel contained in rule 4761:1-9-05 of the Administrative Code (<http://codes.ohio.gov/oac/4761%3A1-9-05>). License Home Medical Equipment Service providers must document that all staff providing services for the licensed entity are in compliance with the standards of practice under Chapter 4761:9 of the Administrative Code for a licensed Home Medical Equipment Service Provider. Home Medical Equipment Service providers holding a Certificate of Registration through the Ohio Respiratory Care Board are subject to the standards of the accrediting organization that they have filed with the Ohio Respiratory Care Board.