



Ohio Revised Code

Section 173.502 [Former Section 751.10 of H.B. 45, 134th General Assembly, codified as R.C. 173.502 pursuant to R.C. 103.131] Requests for proposals to become PACE organization.

Effective: April 7, 2023

Legislation: House Bill 45 - 134th General Assembly

(A) As used in this section:

(1) "CMS" means the United States Centers for Medicare and Medicaid Services.

(2) "Entity" has the same meaning as in 42 C.F.R. 460.10.

(3) "PACE center," "PACE organization," "participant," and "state administering agency" have the same meanings as in 42 C.F.R. 460.6.

(B)(1) Not later than one hundred twenty days after the effective date of this section, the Department of Aging shall issue a request for proposals from any entity interested in becoming a PACE organization, including for service areas in the counties, or contiguous zip codes within the counties, or extending from the counties, of Franklin, Hamilton, Montgomery, Lorain, Lucas, and Summit. Proposals shall be submitted to the Department not later than ninety days after the date the Department issues the request for proposals.

(2) Division (B)(1) of this section does not prevent the Department from expanding the PACE program outside of the process required by that division, including by issuing other requests for proposals.

(C) To be eligible for approval by the Department to become a PACE organization, an entity that submits a proposal pursuant to division (B)(1) of this section shall meet all of the following requirements:

(1) The entity provides a feasibility study of its proposed service area to the Department.



(2) The entity has a current, valid provider agreement, as defined in section 5164.01 of the Revised Code, or will be eligible to enter into a provider agreement by the time that the entity will begin providing services under the PACE program.

(3) The entity meets all federal requirements applicable to PACE organizations.

(4) The entity demonstrates to the satisfaction of the Department that the organization has experience providing health care services to frail older adults and that each member of the entity's staff, including employees and contractors, complies with 42 C.F.R. 460.64.

(5) The entity has a facility suitable to be a PACE center, or plans to acquire, build, or expand a facility suitable to be a PACE center prior to beginning services, in its proposed service area, as described in the request for proposals process.

(6) The entity meets any additional requirements in rules adopted by the Department pursuant to division (G) of this section.

(D) The Department shall review all proposals submitted in accordance with division (B)(1) of this section. For at least each of the six service areas identified in division (C) of this section, the Department shall determine from the proposals which entities it considers qualified to become PACE organizations for each service area. The determination shall be made not later than nine months after the date the Department issues the request for proposals.

(E) An entity considered by the Department as qualified to become a PACE organization may apply to CMS to become a PACE organization. The Department shall provide support to any such organization that applies to CMS, by complying with federal requirements.

(F) Each entity approved to become a PACE organization by CMS shall begin providing services to participants not later than two years after the entity receives notice of its approval from CMS, consistent with federal financial participation.

(G) The Director of Aging may adopt rules to implement this section. The rules shall be adopted in accordance with Chapter 119. of the Revised Code.