

Rule Summary and Fiscal Analysis (Part A)**Department of Aging**

Agency Name

Division

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173-50-03

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Enrollment process.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB66**General Assembly: **126**Sponsor: **Calvert**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **173.02**

5. Statute(s) the rule, as filed, amplifies or implements: **173.02, 173.50**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

In response to Am. Sub. H. B. No. 66 (126th G. A.), this proposed new rule is being filed to establish the process for enrolling an individual in the Program of All-inclusive Care for the Elderly (PACE).

On March 21, 2007, ODA posted a draft of the proposed new rule for a two-week-long public comment period. After considering the input received from that period, ODA is now proceeding with the filing of this proposed new rule.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

This proposed new rule establishes the process for enrolling an individual in PACE.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Not Applicable.

12. 119.032 Rule Review Date:

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date

for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

\$0.00

ODA does not anticipate any increase nor decrease in expenditures appropriated to ODA in the current biennium.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

3C4-490-621 PACE-Federal

GRF-490-421 PACE

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

COST OF COMPLIANCE TO AN INDIVIDUAL SEEKING ENROLLMENT INTO PACE: ODA does not anticipate that there are any costs of compliance for an individual seeking enrollment into PACE as a result of this rule.

COST OF COMPLIANCE TO A COUNTY DEPT. OF JOB AND FAMILY SERVICES (CDJFS): This proposed new rule mandates that a CDJFS make such a determination for those who are enrolling into PACE. It is a routine task for a CDJFS to determine Medicaid eligibility for a consumer. Because it is most likely that a CDJFS would eventually need to perform a determination of Medicaid eligibility for such the individuals enrolling into PACE even if those individuals were not enrolling into PACE, ODA believes that this proposed new rule will pose no new costs of compliance onto a CDJFS.

COST OF COMPLIANCE TO A PACE ORGANIZATION: Once a PACE organization is approached by an individual wishing to enroll into PACE or once a CDJFS refers such an individual to a PACE ORGANIZATION, a staff member

from a PACE organization must visit the individual to make an in-person assessment, thus incurring administrative costs. In comparison to the in-person assessments currently offered by PACE organizations (but not regulated by any rule), ODA believes that this proposed new rule will not create lengthier in-person assessments. Therefore, the administrative costs should not increase as a result of this rule.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**