

173-50-05**PACE: involuntary disenrollment.**

(A) A participant is subject to involuntary disenrollment from PACE for an reason outlined in 42 C.F.R. 460.164(b).

(B) Process to involuntarily disenroll a PACE participant:

- (1) If a PACE organization requests permission to disenroll a participant under this rule, it shall submit the request to ODA along with documentation reflecting grounds for involuntary disenrollment and the PACE organization's efforts to remedy the situation.
- (2) ODA shall approve or deny the request based upon the requirements in paragraph (A) of this rule and notify the PACE organization of the decision.
- (3) If ODA does not approve the request, the PACE organization shall continue to provide necessary services to the participant.
- (4) If ODA approves the request, the PACE organization is subject to the involuntary disenrollment process in 42 C.F.R. 460.164, 460.166, and 460.172.
- (5) A participant's involuntary disenrollment is effective on the first day of the next month that begins thirty days after the day the PACE organization sends notice of the disenrollment to the participant.
- (6) After ODA approves an involuntary disenrollment, ODA sends the participant a notice of denial and hearing rights under division 5101:6 of the Administrative Code.
  - (a) If the participant requests a hearing within fifteen days after ODA approves the involuntary disenrollment, ODA places the disenrollment on hold until a state hearing has been conducted.
  - (b) If the decision of the state hearing is that ODA made a correct decision to disenroll, then ODA enters the decision into the ODA- and ODM-approved eligibility systems.
  - (c) If the decision of the state hearing is that ODA made an incorrect decision to disenroll, the participant remains enrolled in PACE.

Replaces: 173-50-05

Effective:

Five Year Review (FYR) Dates:

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 121.07, 173.01, 173.02, 173.50  
Rule Amplifies: 173.50; 42 C.F.R. 460.164, 460.166, 460.172, 460.210  
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