

173-9-10

Disciplinary action.

ODA (or ODA's designees) may discipline a responsible party that does not comply with Chapter 173-9 of the Administrative Code according to the following:

- (A) When the responsible party is an area agency on aging, it is according to rule 173-2-07 of the Administrative Code.
- (B) When the responsible party is a PASSPORT administrative agency, it is according to the terms of the agreement entered into between the PASSPORT administrative agency and ODA.
- (C) When the responsible party is an agency provider, it is according to one or more of the following:
 - (1) Rules 173-39-05 and 173-39-05.1 of the Administrative Code when the provider is furnishing services to consumers through a program that requires ODA-certification.
 - (2) The provider agreement entered into between the provider and the area agency on aging when the provider is furnishing services to consumers through a program that does not require ODA-certification.
- ~~(D) When the responsible party is a self-employed provider, it is according to one or more of the following:
 - ~~(1) Rules 173-39-05 and 173-39-05.1 of the Administrative Code when the provider is furnishing services to consumers through a program that requires ODA-certification.~~
 - ~~(2) The provider agreement entered into between the provider and the area agency on aging when the provider is furnishing services to consumers through a program that does not require ODA-certification.~~~~

Effective:

Five Year Review (FYR) Dates: 10/30/2014

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 173.01, 173.02, 173.27, 173.38, 173.381, 173.391, 173.392; Sections 305(a)(1)(C) and 712(a)(5)(D) of the Older Americans Act of 1965, 79 Stat. 210, 42 U.S.C. 2001, as amended in 2006; 45 C.F.R. 1321.11 (October 1, 2014 edition)

Rule Amplifies: 173.27, 173.38, 173.381; 45 C.F.R. 460.68(a), 460.71(a)(1), 460.371(a)(2), 460.194, and 1321.35(a)(3) (October 1, 2014 edition)

Prior Effective Dates: 173-9-10: 01/01/2013, 05/01/2014. 173-9-01: 03/04/1997 (Emer.), 07/31/1997, 04/17/2003, 01/01/2008, 02/15/2009, 08/11/2011, 05/01/2014. 173-14-14: 07/11/1991, 12/27/2001, 12/28/2006, 02/15/2009.