

5101:3-36-02 **Program of all-inclusive care for the elderly (PACE) program administration.**

(A) In accordance with section 173.50 of the Revised Code, the Ohio department of aging (ODA) shall serve as the designated state administering agency for the PACE program and shall adhere to and monitor the implementation of all applicable requirements for the program's administration as contained in 42 C.F.R Part 460 as in effect on October 1, 2007.

(B) In this capacity ODA shall:

- (1) Facilitate the process in which prospective PACE organizations apply to the centers for medicare and medicaid services (CMS) for approval to provide PACE services;
- (2) Enter into an agreement called the PACE program agreement with CMS and each PACE organization approved by CMS to provide PACE services to participants in Ohio who reside in the PACE organization's designated service area. The content and duration of that agreement shall conform to standards contained in 42 C.F.R. Part 460 as in effect on October 1, 2007.
- (3) Ensure that PACE organizations providing PACE services have signed medicaid provider agreements.
- (4) Work with PACE organizations to assist individuals seeking enrollment in the PACE program.
- (5) Manage PACE enrollment.
- (6) Allocate and as appropriate reallocate slots to PACE organizations for use by medicaid consumers. The allocation and reallocation of slots does not apply to medicare only or private pay patients.
- (7) Adopt rules including, but not limited to, PACE participant eligibility, PACE participant enrollment, PACE participant voluntary disenrollment and PACE participant involuntary disenrollment.
- (8) Confer as necessary and appropriate with the Ohio department of job and family services (ODJFS) on matters including but not limited to:
 - (a) PACE participant eligibility;

- (b) PACE participant enrollment, disenrollment, and PACE program waiting list trends;
 - (c) Establishing the rates of reimbursement for PACE organizations operating in Ohio;
 - (d) Designating each PACE organization's service area;
 - (e) The enrollment and disenrollment of PACE organizations as providers of services through the PACE program; and
 - (f) The termination of PACE program agreements.
- ~~(9) Provide the non-federal share of appropriations in an amount sufficient to provide services to individuals enrolled in PACE in the amount, scope and duration prescribed by the PACE program agreement.~~
- (C) ~~ODJFS shall transfer through intra-state transfer voucher to ODA the federal share of payments made by ODA to PACE organizations for medicaid services rendered to PACE program participants. Such payment made by ODJFS to ODA will only occur following ODA's submission of eligible PACE claims in accordance with the interagency agreement between ODJFS and ODA. Effective July 1, 2011, ODJFS shall be responsible for the capitated payments made to PACE organizations for medicaid services rendered to PACE program participants.~~

Effective: 09/29/2011

R.C. 119.032 review dates: 03/01/2014

CERTIFIED ELECTRONICALLY

Certification

09/19/2011

Date

Promulgated Under: 119.03
Statutory Authority: 5111.02
Rule Amplifies: 5111.02, 5111.91, 173.50
Prior Effective Dates: 3/28/09, 7/1/11 (Emer.)