

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 141**

**Representatives Baker, Abrams**

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To enact sections 3724.01, 3724.02, 3724.03, 1  
3724.04, 3724.05, 3724.06, 3724.07, 3724.08, 2  
3724.09, 3724.99, 5164.27, and 5166.111 of the 3  
Revised Code regarding prescribed pediatric 4  
extended care centers. 5

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 3724.01, 3724.02, 3724.03, 6  
3724.04, 3724.05, 3724.06, 3724.07, 3724.08, 3724.09, 3724.99, 7  
5164.27, and 5166.111 of the Revised Code be enacted to read as 8  
follows: 9

**Sec. 3724.01.** As used in this chapter: 10

(A) "Hospital" has the same meaning as in section 3722.01 11  
of the Revised Code. 12

(B) "Licensed practical nurse" and "registered nurse" have 13  
the same meanings as in section 4723.01 of the Revised Code. 14

(C) "Medically dependent or technologically dependent 15  
child" means an individual who is less than twenty-one years of 16  
age and requires, as a result of a medical condition, continuous 17  
therapeutic interventions or skilled nursing supervision. 18

(D) "Owner or operator" means any individual who owns or 19

has general administrative charge of a prescribed pediatric 20  
extended care center. 21

(E) "Physician" means an individual authorized under 22  
Chapter 4731. of the Revised Code to practice medicine and 23  
surgery or osteopathic medicine and surgery. 24

(F) "Prescribed pediatric extended care center" means a 25  
facility other than a hospital, whether operated for profit or 26  
not, that provides and delivers, or allows for the provision of, 27  
services, supports, and therapies to medically dependent or 28  
technologically dependent children and their legal guardians as 29  
described in section 3724.06 of the Revised Code. 30

**Sec. 3724.02.** No person, firm, organization, institution, 31  
or agency shall knowingly operate a prescribed pediatric 32  
extended care center without a license issued under this 33  
chapter. 34

**Sec. 3724.03.** (A) A person, firm, organization, 35  
institution, or agency seeking a license to operate a prescribed 36  
pediatric extended care center shall file with the director of 37  
health an application in a manner prescribed by the director. 38  
The application shall include all the information the director 39  
considers necessary to process the application, including 40  
evidence satisfactory to the director that the applicant 41  
satisfies the requirements of division (B) of this section. 42

(B) To be eligible to receive a license to operate a 43  
prescribed pediatric extended care center, an applicant shall 44  
satisfy all of the following requirements: 45

(1) Hold a current, valid child care center license issued 46  
under Chapter 5104. of the Revised Code and operate the child 47  
care center at the same address at which the prescribed 48

pediatric extended care center will operate; 49

(2) Contract with or employ a medical director who is a 50  
physician specializing in pediatric medicine and has at least 51  
three years of clinical experience in that specialty; 52

(3) Contract with or employ one or more nurse managers, 53  
with each nurse manager being a registered nurse with clinical 54  
experience in pediatric nursing; 55

(4) Submit an initial application fee of one thousand 56  
dollars or, in the case of an applicant that already holds a 57  
license to operate a prescribed pediatric extended care center, 58  
an initial application fee of two hundred fifty dollars. 59

(C) The director shall review all applications received 60  
under this section. After receiving an application the director 61  
considers complete, the director shall determine whether the 62  
applicant meets the requirements for a license to operate a 63  
prescribed pediatric extended care center. 64

**Sec. 3724.04.** (A) If the director of health determines 65  
that an applicant meets the requirements of section 3724.03 of 66  
the Revised Code, the director shall issue the license to the 67  
applicant. 68

(B) The license shall be valid for three years, unless 69  
revoked or suspended, shall expire on the date that is three 70  
years after the date of issuance, and may be renewed for 71  
additional three-year periods in accordance with division (C) of 72  
this section and rules adopted under section 3724.05 of the 73  
Revised Code. 74

(C) To renew a license issued under this section, a 75  
prescribed pediatric extended care center shall, on or before 76  
the license's expiration date, apply to the director of health 77

for renewal. Renewal applications shall be submitted to the 78  
director in a manner prescribed by the director. Each 79  
application shall be accompanied by a renewal fee of five 80  
hundred dollars. The director shall renew a license if the 81  
director determines that the applicant holds a current, valid 82  
child care center license issued under Chapter 5104. of the 83  
Revised Code and meets the requirements for renewal established 84  
in rules adopted under section 3724.05 of the Revised Code. 85

**Sec. 3724.05.** (A) Not later than ninety days after the 86  
effective date of this section, the director of health shall 87  
adopt rules establishing standards and procedures for the 88  
licensure and regulation of prescribed pediatric extended care 89  
centers, including rules that do all of the following: 90

(1) Establish license application and renewal procedures; 91

(2) Specify the reasons for which the department may 92  
refuse to issue or renew, suspend, or revoke a license or 93  
otherwise impose discipline on a license holder; 94

(3) Establish standards for providing and delivering, and 95  
for allowing for the provision of, the services described in 96  
section 3724.06 of the Revised Code, in particular, in a manner 97  
that is family-centered while also individualized for each 98  
medically dependent or technologically dependent child and the 99  
child's caregiver and in a setting that is both integrated and 100  
inclusive; 101

(4) Establish standards to ensure that the center's 102  
conditions and physical surroundings are healthy, safe, and 103  
sanitary; 104

(5) Establish minimum qualifications for employment as an 105  
operator, registered nurse, licensed practical nurse, or other 106

staff member as well as training requirements for such 107  
employees; 108

(6) Specify the manner in which medical records, data, and 109  
other information relating to the children and families 110  
receiving services are to be maintained; 111

(7) Establish standards and procedures for providing 112  
medical transportation services to and from prescribed pediatric 113  
extended care centers, including by ensuring both of the 114  
following: 115

(a) That nursing support is available when such services 116  
are provided; 117

(b) That a provider of medical transportation services is 118  
prohibited from providing such services to and from a center if 119  
the provider is related to the center's owner or operator by 120  
blood, marriage, or adoption. 121

(8) Establish procedures and a timeline for conducting 122  
center inspections and audits. 123

The director also may adopt any other rules the director 124  
considers necessary to implement and administer this chapter. 125

(B) The rules described in this section shall be adopted 126  
in accordance with Chapter 119. of the Revised Code. 127

**Sec. 3724.06.** (A) (1) A prescribed pediatric extended care 128  
center licensed under this chapter may provide and deliver at 129  
the center, for a part of the day, any of the following 130  
nonresidential services to medically dependent or 131  
technologically dependent children who are not related to the 132  
center's owner or operator by blood, marriage, or adoption: 133

(a) Medical services; 134

<u>(b) Nursing services;</u>	135
<u>(c) Psychosocial services;</u>	136
<u>(d) Developmental education.</u>	137
<u>(2) The center also may provide and deliver services to</u>	138
<u>meet the caregiver training needs of a medically dependent or</u>	139
<u>technologically dependent child's legal guardian.</u>	140
<u>(B) In addition to the services a prescribed pediatric</u>	141
<u>extended care center may provide and deliver under division (A)</u>	142
<u>of this section, the center may allow for any of the following</u>	143
<u>nonresidential services, supports, or therapies to be provided,</u>	144
<u>for a part of the day, at the center:</u>	145
<u>(1) Speech therapy;</u>	146
<u>(2) Occupational therapy;</u>	147
<u>(3) Physical therapy;</u>	148
<u>(4) Social work services;</u>	149
<u>(5) Developmental services;</u>	150
<u>(6) Child life services;</u>	151
<u>(7) Psychological services;</u>	152
<u>(8) Behavioral supports.</u>	153
<u>In allowing for the services, supports, and therapies</u>	154
<u>described in this division to be provided for at the center, the</u>	155
<u>center may contract with another entity to provide those</u>	156
<u>services, supports, and therapies.</u>	157
<u><b>Sec. 3724.07.</b> In operating a prescribed pediatric extended</u>	158
<u>care center, a center is subject to all of the following</u>	159
<u>requirements:</u>	160

(A) The center shall maintain the following medically 161  
dependent or technologically dependent child-to-staff ratios: 162

(1) When caring for not more than twelve children, two 163  
registered nurses; 164

(2) When caring for at least thirteen but not more than 165  
twenty children, two registered nurses and one licensed 166  
practical nurse; 167

(3) When caring for at least twenty-one but not more than 168  
thirty children, three registered nurses and two licensed 169  
practical nurses. 170

For every eight children added to the thirty children 171  
described in division (A) (3) of this section, the center shall 172  
ensure that another registered nurse is providing care, in 173  
addition to the three registered nurses described in that 174  
division. 175

(B) A nurse manager, or nurse manager's designee, shall be 176  
present at the center during its hours of operation. 177

(C) The center shall utilize an electronic medical records 178  
system to maintain records relating to the medically dependent 179  
and technologically dependent children it enrolls. Such a system 180  
shall include all of the following records: daily assessments, 181  
medication lists, and reports of medications administered, 182  
medication errors, and therapeutic interventions. The center 183  
shall ensure that the system allows for periodic audits and 184  
assists the center in implementing internal compliance programs. 185

(D) The center shall assist the department of health in 186  
any audits the department conducts of the center, including 187  
those related to the center's delivery of and billing for 188  
services. 189

Sec. 3724.08. (A) Before a medically dependent or 190  
technologically dependent child may enroll in a prescribed 191  
pediatric extended care center, the child's parent or legal 192  
guardian shall submit to the center a referral from the child's 193  
physician, describing the child's medical condition, medical 194  
stability, and the continuous therapeutic interventions or 195  
skilled nursing supervision that the child requires. 196

(B) Once a medically dependent or technologically 197  
dependent child enrolls and begins to receive services as 198  
described in division (A) of section 3724.06 of the Revised 199  
Code, the child shall remain under the care of a physician other 200  
than the center's medical director. The center's medical 201  
director, in consultation with the child's physician and parent 202  
or legal guardian, shall develop for the child a treatment plan 203  
that outlines the child's required therapeutic interventions and 204  
skilled nursing supervision. The center's nurse manager shall 205  
coordinate the implementation of the child's treatment plan, 206  
with the plan's interventions and skilled nursing to be 207  
administered by either a registered nurse employed by the center 208  
or a licensed practical nurse employed by the center and under 209  
the direct supervision of the registered nurse. 210

(C) The center's medical director shall be available 211  
either in person or by electronic communication to consult with 212  
the center's nurse manager and other nursing staff. On at least 213  
a monthly basis, the medical director shall review each child's 214  
treatment plan and medical records and shall update the plan as 215  
necessary. 216

Sec. 3724.09. The department of health may refuse to issue 217  
or renew, suspend, or revoke a license or otherwise impose 218  
discipline on a license holder for any violation of this chapter 219



or rules adopted under it. Such discipline may include the 220  
imposition of a civil penalty in an amount not more than five 221  
hundred dollars for each violation and for each day the 222  
violation continues. 223

**Sec. 3724.99.** Whoever violates section 3724.02 of the 224  
Revised Code shall be fined in an amount not less than five 225  
hundred dollars and not more than ten thousand dollars for each 226  
offense. 227

**Sec. 5164.27.** (A) As used in this section, "medically 228  
dependent or technologically dependent child" and "prescribed 229  
pediatric extended care center" have the same meanings as in 230  
section 3724.01 of the Revised Code. 231

(B) The medicaid director shall seek approval from the 232  
United States centers for medicare and medicaid services to 233  
cover services provided by a prescribed pediatric extended care 234  
center, as described in division (A)(1) of section 3724.06 of 235  
the Revised Code, to medically dependent or technologically 236  
dependent children in this state as part of the early and 237  
periodic screening, diagnostic, and treatment program. 238

(C) To be eligible to receive medicaid payments under this 239  
section, a prescribed pediatric extended care center shall hold 240  
both of the following: 241

(1) A valid license issued under section 3724.04 of the 242  
Revised Code; 243

(2) A valid medicaid provider agreement. 244

**Sec. 5166.111.** Not later than ninety days after the 245  
effective date of this section, the department of medicaid shall 246  
establish pediatric-specific processes for level of care 247  
determinations that apply when determining if an individual 248

<u>qualifies for services provided under the Ohio home care waiver</u>	249
<u>program.</u>	250