

As Reported by the House Health Committee

136th General Assembly

Regular Session

2025-2026

Am. H. B. No. 750

Representatives Roemer, White, A.

Cosponsor: Representative Schmidt

To amend section 173.503 and to repeal section 173.502 of the Revised Code regarding site expansion and timely enrollment for the Program of All-Inclusive Care for the Elderly (PACE).

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

Section 1. That section 173.503 of the Revised Code be amended to read as follows:

Sec. 173.503. The department of aging shall seek to implement a presumptive eligibility component to the PACE program, under which applicants for PACE may receive services under the program during a temporary period, to begin immediately upon application and a finding of presumptive eligibility, while a PACE organization conducts a full eligibility determination on behalf of the individual. ~~If the individual is determined to be ineligible for PACE, the PACE organization that found the individual presumptively eligible shall be responsible for the costs of PACE services provided to the individual during the presumptive eligibility period.~~ A PACE organization may enroll an individual in PACE on the first day of the month following the date the individual applied for PACE and begin providing PACE services to the individual before the

individual's medicaid application has been approved, if the 21
department of aging has determined that the individual meets all 22
other PACE eligibility requirements. If the individual is found 23
to be medicaid eligible, the department of medicaid shall 24
reimburse the PACE organization for PACE services provided to 25
the individual by the organization, beginning on the date the 26
individual was enrolled in PACE under this section. If the 27
individual is determined to be ineligible for medicaid, the PACE 28
organization shall assume financial responsibility for the 29
length of the individual's enrollment in PACE. The PACE 30
organization may request the individual pay the private pay rate 31
for PACE services. If the participant chooses not to pay the 32
private pay rate, the PACE organization may follow the 33
department of aging's involuntary disenrollment requirements to 34
disenroll the individual. 35

Section 2. That existing section 173.503 of the Revised 36
Code is hereby repealed. 37

Section 3. That section 173.502 of the Revised Code is 38
hereby repealed. 39

Section 4. (A) As used in this section: 40

(1) "CMS" means the United States Centers for Medicare and 41
Medicaid Services. 42

(2) "Entity" has the same meaning as in 42 C.F.R. 460.10. 43

(3) "PACE center," "PACE organization," "participant," and 44
"state administering agency" have the same meanings as in 42 45
C.F.R. 460.6. 46

(B) (1) Not later December 31, 2026, the Department of 47
Aging shall issue a request for proposals from any entity 48
interested in becoming a PACE organization located in a county 49

of this state not served by the PACE program on the effective 50
date of this section. Proposals shall be submitted to the 51
Department not later than ninety days after the date the 52
Department issues the request for proposals. 53

(2) Division (B)(1) of this section does not prevent the 54
Department from expanding the PACE program outside of the 55
process required by that division, including by issuing other 56
requests for proposals. All rates for new PACE organizations 57
added on or after the effective date of this section by a 58
request for proposal shall be the same as for PACE organizations 59
in existence on that date. 60

(C) To be eligible for approval by the Department to 61
become a PACE organization, an entity that submits a proposal 62
pursuant to division (B)(1) of this section shall meet all of 63
the following requirements: 64

(1) The entity provides a feasibility study of its 65
proposed service area to the Department. 66

(2) The entity has a current, valid provider agreement, as 67
defined in section 5164.01 of the Revised Code, or will be 68
eligible to enter into a provider agreement by the time that the 69
entity will begin providing services under the PACE program. 70

(3) The entity meets all federal requirements applicable 71
to PACE organizations. 72

(4) The entity demonstrates to the satisfaction of the 73
Department that the organization has experience providing health 74
care services to frail older adults and that each member of the 75
entity's staff, including employees and contractors, complies 76
with 42 C.F.R. 460.64. 77

(5) The entity has a facility suitable to be a PACE 78

center, or plans to acquire, build, or expand a facility 79
suitable to be a PACE center prior to beginning services, in its 80
proposed service area, as described in the request for proposals 81
process. 82

(6) The entity meets any additional requirements in rules 83
adopted by the Department pursuant to division (G) of this 84
section. 85

(D) The Department shall review all proposals submitted in 86
accordance with division (B)(1) of this section. The Department 87
shall determine from the proposals which entities it considers 88
qualified to become PACE organizations for each service area. 89
The determination shall be made not later than June 30, 2027. 90

(E) An entity considered by the Department as qualified to 91
become a PACE organization may apply to CMS to become a PACE 92
organization. The Department shall provide support to any such 93
organization that applies to CMS by complying with federal 94
requirements. 95

(F) Each entity approved to become a PACE organization by 96
CMS shall begin providing services to participants not later 97
than two years after the entity receives notice of its approval 98
from CMS, consistent with federal financial participation. 99

(G) The Director of Aging may adopt rules to implement 100
this section. The rules shall be adopted in accordance with 101
Chapter 119. of the Revised Code. 102