

year 2022. No hospital shall receive more than four million dollars in payment under this section.

SECTION 270.14. In FY 2023, \$15,000,000 of the enhanced federal medical assistance percentage, enacted as a result of the COVID-19 pandemic, in Section 6008 of the "Families First Coronavirus Response Act," Pub. L. No. 116-127, shall be used to fund the one-time payment to each freestanding dialysis center, from GRF appropriation item 651525, Medicaid Health Care Services, in the manner in which the one-time payment is established in Section 751.20 of this act.

An amount equal to the unexpended, unencumbered balance of the amount allocated in this section, at the end of fiscal year 2023, is hereby reappropriated to the Department of Medicaid for the same purpose in fiscal year 2024.

SECTION 270.15. MEDICAID ALLOCATIONS FROM ENHANCED FEDERAL MEDICAL ASSISTANCE PERCENTAGE

(A) In fiscal year 2023, a portion of the enhanced federal medical assistance percentage, enacted as a result of the COVID-19 pandemic, in Section 6008 of the "Families First Coronavirus Response Act," Pub. L. No. 116-127, shall be used to fund provider relief allocations to critical access hospitals and rural hospitals, as determined by the Medicaid Director. This shall be funded from GRF appropriation item 651525, Medicaid Health Care Services. The amount of allocation shall not exceed \$62,000,000.

(B) The Director of Budget and Management may increase the federal share of GRF appropriation item 651525, Medicaid Health Care Services, to fund the federal share of hospital provider relief. Any additional expenditures are hereby appropriated.

SECTION 270.16. The Department of Medicaid shall administer a Critical Access Pharmacy Grant program. A pharmacy is eligible to apply for grant funds through the program if the pharmacy is located within a county that has no more than one retail pharmacy that participates in the Medicaid program located within the county. The program shall continue until the earlier of June 30, 2023, or the date that funds earmarked for the program are expended. Up to \$100,000 in fiscal year 2023 shall be used to fund this Critical Access Pharmacy Grant program from appropriation item 651525, Medicaid Health Care Services.

SECTION 270.22.

PACE PROGRAM EXPANSION

The foregoing appropriation item 651698, MCD Home and Community Based Services, shall be used to expand the component of the Medicaid program known as the Program of All-Inclusive Care for the Elderly or PACE to the entities approved to become PACE organizations after applying for approval as PACE organizations in accordance with the request for proposals established by division (B)(1) of ~~Section 751.10 of this act.~~

SECTION 275.10.

section
173.502
of the
Revised
Code

Sec. 173.502

~~SECTION 751.10~~ (A) As used in this section:

- (1) "CMS" means the United States Centers for Medicare and Medicaid Services.
- (2) "Entity" has the same meaning as in 42 C.F.R. 460.10.
- (3) "PACE center," "PACE organization," "participant," and "state administering agency" have the same meanings as in 42 C.F.R. 460.6.

(B)(1) Not later than one hundred twenty days after the effective date of this section, the Department of Aging shall issue a request for proposals from any entity interested in becoming a PACE organization, including for service areas in the counties, or contiguous zip codes within the counties, or extending from the counties, of Franklin, Hamilton, Montgomery, Lorain, Lucas, and Summit. Proposals shall be submitted to the Department not later than ninety days after the date the Department issues the request for proposals.

(2) Division (B)(1) of this section does not prevent the Department from expanding the PACE program outside of the process required by that division, including by issuing other requests for proposals.

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

- (1) The entity provides a feasibility study of its proposed service area to the Department.
- (2) The entity has a current, valid provider agreement, as defined in section 5164.01 of the Revised Code, or will be eligible to enter into a provider agreement by the time that the entity will begin providing services under the PACE program.
- (3) The entity meets all federal requirements applicable to PACE organizations.
- (4) The entity demonstrates to the satisfaction of the Department that the organization has experience providing health care services to frail older adults and that each member of the entity's staff, including employees and contractors, complies with 42 C.F.R. 460.64.
- (5) The entity has a facility suitable to be a PACE center, or plans to acquire, build, or expand a facility suitable to be a PACE center prior to beginning services, in its proposed service area, as described in the request for proposals process.
- (6) The entity meets any additional requirements in rules adopted by the Department pursuant to division (G) of this section.

(D) The Department shall review all proposals submitted in accordance with division (B)(1) of this section. For at least each of the six service areas identified in division (C) of this section, the Department shall determine from the proposals which entities it considers qualified to become PACE organizations for each service area. The determination shall be made not later than nine months after the date the Department issues the request for proposals.

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

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

(G) The Director of Aging may adopt rules to implement this section. The rules shall be

Robert R. Capps

Speaker _____ of the House of Representatives.

Matthew C. Hoff

President _____ of the Senate.

Passed December 14, 2022

Approved 6 TH OF JAN., 2023

Mike DeWine

Governor.



The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.*



Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 6th day of JANUARY, A. D. 2023.



Secretary of State.

File No. 176

Effective Date 4/7/2023

*This certification has required my designation of the following in the left-hand margin as a proper code section number:

173.502



Director, Legislative Service Commission

(134th General Assembly)
(Substitute House Bill Number 45)

AN ACT

To amend sections 102.01, 121.22, 124.134, 149.311, 149.43, 173.501, 307.6910, 1710.02, 2101.16, 2915.092, 3310.70, 3317.0212, 3333.051, 3505.183, 3509.05, 3781.1010, 3929.43, 4503.591, 4509.70, 5104.30, 5104.31, 5104.32, 5104.38, 5165.36, 5301.36, 5713.03, 5721.03, 5747.01, and 5747.98; to enact sections 3333.128, 3955.061, 3956.061, 5101.19, 5101.191, 5101.192, 5101.193, 5101.194, and 5104.37; and to repeal section 5747.37 of the Revised Code and to amend Sections 265.220, 307.270, 343.30, and 701.70 of H.B. 110 of the 134th General Assembly, Sections 219.10 as subsequently amended, 221.10 as subsequently amended, 221.13 as subsequently amended, and 237.13 as subsequently amended of H.B. 597 of the 134th General Assembly, and Sections 207.15, 221.10, 221.13, 223.10, 223.15, 237.10, and 237.13 of H.B. 687 of the 134th General Assembly and to repeal Section 715.20 of H.B. 110 of the 134th General Assembly to make appropriations and to provide authorization and conditions for the operation of state programs.

Introduced by

Representatives West, Roemer
Cosponsors: Representatives Riedel, Miranda, Weinstein, Manning, Lanese, Crawley, Smith, K., Ingram, Miller, J., Crossman, Lightbody, Leland, Sobocki, Blackshear, Boyd, Brent, Carruthers, Click, Galonski, Ghanbari, Gross, Hicks-Hudson, Jarrells, Lampton, Lepore-Hagan, Miller, K., O'Brien, Oelslager, Patton, Pavliga, Russo, Schmidt, Sheehy, Smith, M., Swearingen, Sweeney, Sykes, Upchurch, Young, T., Zeltwanger
Senators Brenner, Antonio, Cirino, Craig, Gavarone, Hackett, Hoagland, Hottinger, Huffman, S., Johnson, Lang, Maharath, Manning, Reineke, Rulli, Thomas, Yuko

Passed by the House of Representatives,

December 8, 2021

Passed by the Senate,

December 14, 2022

*Filed in the office of the Secretary of State at
Columbus, Ohio, on the*

6th day of JANUARY, 2023



Secretary of State.

*Concurred in
Senate amendments,
December 14, 2022.*