

CHANGE OF OWNERSHIP INTEREST OR ORGANIZATIONAL STRUCTURE
Ohio Administrative Code (OAC) 173-39-03.2
FACT SHEET

This rule establishes the process for notifying the Ohio Department of Aging of a change in ownership interest or organizational structure.

Why is notification of a change in ownership interest or organizational structure required?

- There are many reasons, but *the most important is to allow the Department of Aging to ensure the health and safety of the individuals receiving services.*

OAC 173-39-03.2 establishes notification requirements to:

- Notify current and new owners of applicable requirements and Department of Aging rules for processing change of ownership interests or organizational structures.
- Allow the Department of Aging to work with both the current owner and the new owner to ensure a smooth transition for individuals served (if the individuals choose to continue receiving services from the provider):
- Ensure proper notification of individuals.
- Ensure the current provider can be paid appropriately for services rendered up to the sale or transfer of ownership interest and clarifies the first date the Department of Aging may begin paying for services after a change in ownership interest.
- Identify information required to assist the Department of Aging with reviewing and processing an application for certification and facilitates the processing of changes of ownership in accordance with Department of Aging and Department of Medicaid rules.
- Inform the new owner of the need to apply for a new certification from the Department of Aging and new Medicaid number from the Department of Medicaid.
- Inform providers subject to federal heightened scrutiny under OAC 173-39-03.1 of the need to maintain compliance with the Home and Community-Based Services (HCBS) settings requirements in OAC 173-39-02 and 5160-44-01 and any other requirements in 42 C.F.R. Part 441 at the time of the change of ownership interest and thereafter.