

As Introduced

**136th General Assembly
Regular Session
2025-2026**

H. B. No. 141

Representatives Baker, Abrams

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

<u>staff member as well as training requirements for such</u>	107
<u>employees;</u>	108
<u>(6) Specify the manner in which medical records, data, and</u>	109
<u>other information relating to the children and families</u>	110
<u>receiving services are to be maintained;</u>	111
<u>(7) Establish standards and procedures for providing</u>	112
<u>medical transportation services to and from prescribed pediatric</u>	113
<u>extended care centers, including by ensuring both of the</u>	114
<u>following:</u>	115
<u>(a) That nursing support is available when such services</u>	116
<u>are provided;</u>	117
<u>(b) That a provider of medical transportation services is</u>	118
<u>prohibited from providing such services to and from a center if</u>	119
<u>the provider is related to the center's owner or operator by</u>	120
<u>blood, marriage, or adoption.</u>	121
<u>(8) Establish procedures and a timeline for conducting</u>	122
<u>center inspections and audits.</u>	123
<u>The director also may adopt any other rules the director</u>	124
<u>considers necessary to implement and administer this chapter.</u>	125
<u>(B) The rules described in this section shall be adopted</u>	126
<u>in accordance with Chapter 119. of the Revised Code.</u>	127
Sec. 3724.06. <u>(A) (1) A prescribed pediatric extended care</u>	128
<u>center licensed under this chapter may provide and deliver at</u>	129
<u>the center, for a part of the day, any of the following</u>	130
<u>nonresidential services to medically dependent or</u>	131
<u>technologically dependent children who are not related to the</u>	132
<u>center's owner or operator by blood, marriage, or adoption:</u>	133
<u>(a) Medical services;</u>	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>Sec. 3724.07. 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

<u>(A) The center shall maintain the following medically</u>	161
<u>dependent or technologically dependent child-to-staff ratios:</u>	162
<u>(1) When caring for not more than twelve children, two</u>	163
<u>registered nurses;</u>	164
<u>(2) When caring for at least thirteen but not more than</u>	165
<u>twenty children, two registered nurses and one licensed</u>	166
<u>practical nurse;</u>	167
<u>(3) When caring for at least twenty-one but not more than</u>	168
<u>thirty children, three registered nurses and two licensed</u>	169
<u>practical nurses.</u>	170
<u>For every eight children added to the thirty children</u>	171
<u>described in division (A) (3) of this section, the center shall</u>	172
<u>ensure that another registered nurse is providing care, in</u>	173
<u>addition to the three registered nurses described in that</u>	174
<u>division.</u>	175
<u>(B) A nurse manager, or nurse manager's designee, shall be</u>	176
<u>present at the center during its hours of operation.</u>	177
<u>(C) The center shall utilize an electronic medical records</u>	178
<u>system to maintain records relating to the medically dependent</u>	179
<u>and technologically dependent children it enrolls. Such a system</u>	180
<u>shall include all of the following records: daily assessments,</u>	181
<u>medication lists, and reports of medications administered,</u>	182
<u>medication errors, and therapeutic interventions. The center</u>	183
<u>shall ensure that the system allows for periodic audits and</u>	184
<u>assists the center in implementing internal compliance programs.</u>	185
<u>(D) The center shall assist the department of health in</u>	186
<u>any audits the department conducts of the center, including</u>	187
<u>those related to the center's delivery of and billing for</u>	188
<u>services.</u>	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