

Program of All-inclusive Care for the Elderly (PACE) Deeming

Updated: April 09, 2026

42 CFR 460.160(2)

Deemed continued eligibility: If the State administering agency determines that a PACE participant no longer meets the State Medicaid nursing facility level of care requirements (Service Priority Level (SPL) 1 – 13), the participant may be deemed to continue to be eligible for the PACE program until the next annual reevaluation, if, in the absence of continued coverage under this program, the participant reasonably would be expected to meet the nursing facility level of care requirement within the next six months.

Process

If a PACE participant is assessed at SPL 14 - 18 at reassessment, the local office (LO) case manager (CM) will:

- Notify the PO of the assessment result and send the assessment summary (SDS 002) to the PACE organization.
- The current CA/PS (Client Assessment and Planning System) must remain open/active during the deeming review process.

(An assessment outcome of 99 indicates that the individual is independent in all ADLs and IADLs and would be considered ineligible for PACE services, PACE deeming services, and EWE services) [OAR 411-015-0010](#) & [OAR 411-015-0015](#); [OAR 411-015-0030](#)

The PACE organization (PO) Interdisciplinary Team (IDT) will review the participant's record and decide if deeming is appropriate to request for the

participant. If deeming is approved through the IDT, the PO will provide the LO, the current care plan, request statement, and supporting documentation to justify its reasoning why deeming is being requested.

The LO team (may include the CM, lead worker, supervisor, etc.) will review the PACE participant's assessments and other supporting documentation to evaluate the effect of disenrollment on the PACE participant's health status, activities of daily living, and social functioning. After the LO review, if both parties agree that without PACE services the participant's health would deteriorate within 6 months after PACE disenrollment, the PACE participant may be deemed eligible until the next annual assessment. The LO CM will notify the State PACE Coordinator (send to apd.pace@odhsoha.oregon.gov) if deeming is approved and provide the documentation to support the decision.

When the participant is eligible for deeming with PACE services, the LO CM will:

- Ensure the new assessment is in 'Complete' status
- Narrate the approval for deeming in Oregon ACCESS (OA)
- Ensure all coding on the case is accurate and related to a PACE case
- Provide payment instructions to the consumer regarding liability, room and board, and PIF
- Set up a reminder on the case for the reassessment to be completed in 12 months
- Set up a reminder on the case to send a Buckley notice prior to the reassessment
- Send to the State PACE Coordinator via apd.pace@odhsoha.oregon.gov:
 - Participant name and prime number
 - Start date of deeming service plan; include the benefit type (PACE - In-home or PACE - Residential or PACE - Nursing Facility)
 - End date of deeming service plan (the end date is the same as the annual review date for reassessment)

Do not extend the current assessment for the remainder of the new assessment period and **do not** create a new benefit in CA/PS for the PACE deeming services. The State PACE Coordinator will notify the Mainframe Analysts to code SELG with the appropriate information for PACE deeming services. The Mainframe Analysts will notify the State PACE Coordinator when the service eligibility record has been updated. The State PACE Coordinator will notify the CM when the SELG record is updated.

The LO CM will be responsible for notifying the PO and the State PACE Coordinator when the participant has a change of condition and has been assessed with an outcome of SPL 1 – 13.

The State PACE Coordinator will notify the Mainframe Analysts to end the current SELG record so the LO CM can set up a new benefit plan in CA/PS.

When the LO team and PO cannot agree on placing the participant with PACE deeming services, the CM will send the documentation to the State PACE Coordinator (send to apd.pace@odhsoha.oregon.gov) for review to make a final decision. The State PACE Coordinator has up to 10 days to review documentation and make a final decision. Additional information may be requested when making the final decision. The State PACE Coordinator's decision will be sent to the LO and PO and narrated in OA.

When PACE deeming services are denied or the PACE IDT does not request PACE deeming services:

- The LO CM will review Extended Waiver Eligibility (EWE) and begin the EWE process if the participant is eligible.
- Coordinate with the PO to end enrollment with PACE. The PO is required to provide a 30-day notice whenever there is a need to involuntarily disenroll a participant from PACE services. The PACE benefit in CA/PS must end on the same date as PACE enrollment.
- Send the appropriate timely notice when eligibility for all programs has been reviewed.

You can get this document in other languages, large print, braille or a format you prefer free of charge. Contact the Aging and People with Disabilities at apd.ltss@odhs.oregon.gov or [503-945-5600](tel:503-945-5600). We accept all relay calls.



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