
42 C.F.R. § 460.121

Service determination process.

- (a) *Written procedures.* Each PACE organization must have formal written procedures for identifying and processing service determination requests in accordance with the requirements of this Part.
- (b) *What is a service determination request—(1) Requests that constitute a service determination request.* Except as provided in paragraph (b)(2) of this section, the following requests constitute service determination requests:
- (i) A request to initiate a service.
 - (ii) A request to modify an existing service, including to increase, reduce, eliminate, or otherwise change a service.
 - (iii) A request to continue coverage of a service that the PACE organization is recommending be discontinued or reduced.
- (2) *Requests that do not constitute a service determination request.* Requests to initiate, modify, or continue a service do not constitute a service determination request if the request is made prior to completing the development of the initial plan of care. For all requests identified in this section, the interdisciplinary team must—
- (i) Document the request; and
 - (ii) Discuss the request during the care planning meeting, and either:
 - (A) Approve the requested service and incorporate it into the participant's initial plan of care, or
 - (B) Document their rationale for not approving the service in the initial plan of care.
- (c) *Who can make a service determination request.* Any of the following individuals can make a service determination request:
- (1) The participant.
 - (2) The participant's designated representative.
 - (3) The participant's caregiver.
- (d) *Method for making a service determination request.* An individual may make a service determination request as follows:
- (1) Either orally or in writing.
 - (2) To any employee or contractor of the PACE organization that provides direct care to a participant in the
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participant's residence, the PACE center, or while transporting participants.

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