



## Ohio Administrative Code

### Rule 173-2-06 AAAs: monitoring and imposing corrective actions on AAAs.

Effective: February 1, 2025

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(A) Monitoring: ODA shall monitor each AAA to ensure grant awards are used for authorized purposes and in compliance with state and federal statutes, regulations, and the terms and conditions of each award.

(B) Reporting and corrective-action plans (CAPs):

(1) ODA shall notify an AAA of the results of the monitoring review, including any instance of non-compliance ("deficiency"). In the notice, ODA shall require the AAA to develop a CAP and to correct the deficiency.

(2) In response to ODA's notice, the AAA shall provide ODA with a proposed CAP. In the CAP, the AAA shall include all of the following:

(a) The manner in which the AAA will correct the deficiency.

(b) The correction deadline.

(c) The actions to ensure the deficiency does not recur.

(3) ODA shall review the AAA's proposed CAP and shall inform the AAA of its decision to either approve the AAA's CAP or impose the corrective action in paragraph (C)(1) of this rule.

(C) Remedies for non-compliance:

(1) ODA shall impose corrective action on an AAA in any of the following three situations:

(a) The AAA's CAP failed to comply with paragraph (B)(2) of this rule.



- (b) The AAA failed to fully implement the ODA-approved CAP.
- (c) ODA immediately imposes corrective action without first requiring the AAA to develop a proposed CAP due to one or more of the following situations:
  - (i) Laws or agreements necessitate immediate corrective action.
  - (ii) The consumers' health, safety, or welfare necessitates immediate corrective action.
  - (iii) Protecting state or federal dollars necessitates immediate corrective action.
- (2) ODA shall consider the AAA's history of deficiencies, the impact of the present deficiency or other unrelated deficiencies, and the cause of the deficiency or other unrelated deficiencies when determining the nature and extent of corrective action to impose on the AAA.
- (3) ODA shall impose one or more of the following corrective actions upon an AAA to comply with paragraph (C)(1) of this rule:
  - (a) ODA may require the AAA to fully implement the AAA's self-imposed, but not yet fully-implemented, CAP.
  - (b) ODA may develop new corrective actions to impose upon the AAA.
  - (c) ODA may disallow all or a part of the cost of an activity or action that does not comply.
  - (d) ODA may terminate all or part of the AAA's present grants and contracts. If ODA terminates all or part of an AAA's grants or contracts, ODA shall take all actions necessary to ensure the continuation of any services directly provided by the AAA that were authorized for consumers in the PSA. The actions that ODA takes to ensure the continuation of services may include directly administering the AAA's grants and contracts or contracting with another AAA to administer the deficient AAA's grants and contracts on ODA's behalf.
  - (e) ODA may withhold one or more future grant awards to the AAA under 42 U.S.C. 3026(f).



- (f) ODA may withdraw the designation according to rule 173-2-07 of the Administrative Code.
  
- (g) ODA may impose any other corrective action that laws authorize.
  
- (h) ODA shall inform the AAA of ODA's acceptance of the AAA's response to an ODA-imposed CAP.