

JOINT COMMITTEE ON AGENCY RULE REVIEW
Agenda - 6/19/2017 - 1:30 P.M.
Statehouse Hearing Room 121(William McKinley Room)



FINAL AGENDA

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Consent

1 Attorney General • Consumer Protection

Total Rules: 1	Original Filing Date: 4/28/2017	Date of Refiled Filing: 6/8/2017	Jurisdiction Ends: 7/8/2017	Public Hearing: 6/6/2017	
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Refiled Filing	No	Yes	109:4-3-23	Required disclosure at closing.

2 Attorney General • Crime Victims Compensation and Assistance

Total Rules: 3	Original Filing Date: 5/9/2017	Jurisdiction Ends: 7/13/2017	Public Hearing: 6/15/2017		
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Original Filing	No	Yes	109:7-1-01	Sexual assault examination protocol.
Rescission	Original Filing	No	Yes	109:7-1-02	Sexual assault examination payment amount.
Rescission	Original Filing	No	Yes	109:7-1-03	Definitions.

Total Rules: 2	Original Filing Date: 5/9/2017	Date of Revised Filing: 5/10/2017	Jurisdiction Ends: 7/13/2017	Public Hearing: 6/15/2017	
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Revised Filing	No	No	109:7-1-01	Sexual assault examination protocol.
New Rule	Revised Filing	No	No	109:7-1-03	Definitions.

Total Rules: 1	Original Filing Date: 5/9/2017	Date of Revised Filing: 5/11/2017	Jurisdiction Ends: 7/13/2017	Public Hearing: 6/15/2017	
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Revised Filing	No	No	109:7-1-02	Sexual assault examination payment amount.

3 Board of Executives of Long-Term Services and Supports •

Total Rules: 5	Original Filing Date: 5/1/2017	Jurisdiction Ends: 7/5/2017	Public Hearing: 6/1/2017		
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Original Filing	Yes	No	4751-1-10.3	Licensing active-duty military personnel, veterans, and licensees accompanying active-duty spouses.
Amendment	Original Filing	Yes	Yes	4751-1-11	Temporary license.
New Rule	Original Filing	Yes	No	4751-1-13.1	Continuing education unit waiver.

Click on the rule number in blue above to view the rule in its entirety on the *Register of Ohio* website.

Amendment	Original Filing	Yes	Yes	4751-1-14	Recognition of out-of state license.
New Rule	Original Filing	Yes	No	4751-1-15	Relicensure.

4 Department of Aging •

Total Rules: 2 Original Filing Date: 5/3/2017 Jurisdiction Ends: 7/7/2017 Public Hearing: 6/12/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Original Filing	Yes	Yes	173-14-27	Bed fee collection guidelines.
New Rule	Original Filing	Yes	No	173-14-28	Bed fee collection guidelines.

5 Department of Aging •

Total Rules: 1 Original Filing Date: 5/3/2017 Date of Revised Filing: 5/10/2017 Jurisdiction Ends: 7/7/2017 Public Hearing: 6/12/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Revised Filing	Yes	Yes	173-39-02.15	Independent living assistance service.

6 Department of Aging •

Total Rules: 14 Original Filing Date: 5/4/2017 Jurisdiction Ends: 7/8/2017 Public Hearing: 6/12/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	Yes	Yes	173-9-01	Introduction and definitions.
Amendment	Original Filing	Yes	Yes	173-9-02	Applicability.
Amendment	Original Filing	Yes	Yes	173-9-03	Reviewing databases (except for the self-employed).
Amendment	Original Filing	Yes	Yes	173-9-03.1	Reviewing databases (for the self-employed).
Amendment	Original Filing	Yes	Yes	173-9-04	When to check criminal records, inform applicants, charge fees, and use forms (except for the self-employed).
Amendment	Original Filing	Yes	Yes	173-9-04.1	When to check criminal records, pay fees, and use forms (for the self-employed).
Amendment	Original Filing	Yes	Yes	173-9-05	Conditional hiring.
Amendment	Original Filing	Yes	Yes	173-9-06	Disqualifying offenses.
Amendment	Original Filing	Yes	Yes	173-9-07	Hiring an applicant, or retaining an employee, who has a disqualifying offense on criminal record.
Amendment	Original Filing	Yes	Yes	173-9-07.1	Certifying or entering into a provider agreement with a self-employed provider who has a disqualifying offense on his or her criminal record.
Amendment	Original Filing	Yes	Yes	173-9-08	Records: confidentiality and retention.
Amendment	Original Filing	Yes	Yes	173-9-09	Immunity from negligent hiring, certification, or provider agreements.
Rescission	Original Filing	No	Yes	173-14-14	Staffing requirements and staff qualifications.
New Rule	Original Filing	No	No	173-14-14	Staffing requirements, staff qualifications, and background checks.

7 Department of Aging •

Click on the rule number in blue above to view the rule in its entirety on the *Register of Ohio* website.

Total Rules: 1 Original Filing Date: 4/26/2017 Jurisdiction Ends: 6/30/2017 Public Hearing: 5/30/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	Yes	173-2-04	AAAs: currently-designated AAAs.

8 Department of Agriculture • Soil and Water Conservation

Total Rules: 2 Original Filing Date: 5/3/2017 Jurisdiction Ends: 7/7/2017 Public Hearing: 6/6/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Original Filing	Yes	Yes	901:13-1-99	Civil penalties.
New Rule	Original Filing	Yes	No	901:13-1-99	Civil penalties.

9 Department of Developmental Disabilities • Community Services

Total Rules: 1 Original Filing Date: 4/13/2017 Date of Refiled Filing: 6/13/2017 Jurisdiction Ends: 7/13/2017 Public Hearing: 5/17/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Refiled Filing	Yes	No	5123:2-10-01	Early intervention services - system of payments.

10 Department of Developmental Disabilities • Community Services

Total Rules: 2 Original Filing Date: 4/13/2017 Date of Refiled Filing: 5/26/2017 Jurisdiction Ends: 6/25/2017 Public Hearing: 5/17/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Refiled Filing	Yes	Yes	5123:2-9-35	Home and community-based services waivers - remote monitoring and remote monitoring equipment under the individual options, level one, and self-empowered life-funding waivers.
New Rule	Refiled Filing	Yes	No	5123:2-9-35	Home and community-based services waivers - remote monitoring and remote monitoring equipment under the individual options, level one, and self-empowered life funding waivers.

11 Department of Education •

Total Rules: 1 Original Filing Date: 5/12/2017 Jurisdiction Ends: 7/16/2017 Public Hearing: 6/12/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	Yes	3301-4-01	Notice of meetings.

12 Department of Health •

Total Rules: 1 Original Filing Date: 4/25/2017 Jurisdiction Ends: 6/29/2017 Public Hearing: 6/2/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Original Filing	No	Yes	3701-8-08	Statewide system of payments for early intervention services.

13 Department of Health • Radiation Control

Total Rules: 9 Original Filing Date: 4/28/2017 Jurisdiction Ends: 7/2/2017 Public Hearing: 6/2/2017

Click on the rule number in blue above to view the rule in its entirety on the *Register of Ohio* website.

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>	
Rescission	Original Filing	Yes	Yes	3701:1-68-01	Definitions.	
New Rule	Original Filing	Yes	No	3701:1-68-01	Definitions.	
Rescission	Original Filing	Yes	Yes	3701:1-68-02	Quality assurance.	
Rescission	Original Filing	Yes	Yes	3701:1-68-03	Industrial radiography and irradiation devices.	
New Rule	Original Filing	Yes	No	3701:1-68-03	Non-medical radiographic systems.	
Amendment	Original Filing	Yes	Yes	3701:1-68-04	Industrial analytical radiation-generating equipment.	
Rescission	Original Filing	Yes	Yes	3701:1-68-05	Industrial particle accelerators.	
New Rule	Original Filing	Yes	No	3701:1-68-05	Non-medical particle accelerator systems.	
New Rule	Original Filing	Yes	No	3701:1-68-06	Non-medical cabinet systems.	
Total Rules: 1		Original Filing Date: 4/28/2017		Date of Revised Filing: 5/10/2017	Jurisdiction Ends: 7/2/2017	Public Hearing: 6/2/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Revised Filing	Yes	No	3701:1-68-02	General requirements.

14 Department of Higher Education •

Total Rules: 1 Original Filing Date: 3/7/2017 Date of Refiled Filing: 6/5/2017 Jurisdiction Ends: 7/5/2017 Public Hearing: 4/13/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Refiled Filing	No	Yes	3333-1-09.1	The "Ohio College Opportunity Grant" program.

15 Department of Higher Education •

Total Rules: 1 Original Filing Date: 4/24/2017 Jurisdiction Ends: 6/28/2017 Public Hearing: 5/31/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	No	3333-1-03	Release of funds from appropriations for capital improvements.

16 Department of Job and Family Services • Child Support

Total Rules: 5 Original Filing Date: 4/25/2017 Jurisdiction Ends: 6/29/2017 Public Hearing: 5/31/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	Yes	5101:12-55-25	License suspension.
Amendment	Original Filing	No	Yes	5101:12-55-25.1	License reinstatement.
Amendment	Original Filing	No	Yes	5101:12-55-25.2	Driver's license abstract.
Amendment	Original Filing	No	Yes	5101:12-55-26	Suspension and reinstatement of license to practice law.
Amendment	Original Filing	No	No	5101:12-55-99	Chapter 5101:12-55 forms - enforcement of the support order based on finding of default.

17 Department of Job and Family Services • Child Support

Click on the rule number in blue above to view the rule in its entirety on the *Register of Ohio* website.

Total Rules: 1 Original Filing Date: 5/2/2017 Jurisdiction Ends: 7/6/2017 Public Hearing: 6/5/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	No	5101:12-47-99	Chapter 5101:12-47 form - medical support provisions for cash medical.

18 Department of Job and Family Services • Child Support

Total Rules: 1 Original Filing Date: 5/2/2017 Jurisdiction Ends: 7/6/2017 Public Hearing: 6/5/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	No	5101:12-40-99	Chapter 5101:12-40 forms - paternity establishment.

19 Department of Job and Family Services • Division of Food Stamps

Total Rules: 1 Original Filing Date: 5/2/2017 Jurisdiction Ends: 7/6/2017 Public Hearing:

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	No	5101:4-7-09	Food assistance: state income and eligibility verification system.

20 Department of Mental Health and Addiction Services •

Total Rules: 1 Original Filing Date: 4/17/2017 Jurisdiction Ends: 6/21/2017 Public Hearing: 5/18/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Original Filing	Yes	No	5122-8-01	Waiting list for alcohol and drug addiction services.

21 Environmental Review Appeals Commission •

Total Rules: 1 Original Filing Date: 4/21/2017 Jurisdiction Ends: 6/25/2017 Public Hearing:

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	Yes	3746-15-01	Notice of public meetings.

22 Office of Budget and Management •

Total Rules: 2 Original Filing Date: 5/11/2017 Jurisdiction Ends: 7/15/2017 Public Hearing:

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Original Filing	No	Yes	126-1-03	Reimbursement of interviewing, moving, and temporary living expenses.
New Rule	Original Filing	No	No	126-1-03	Reimbursement of interviewing and relocation expenses.

23 Ohio Casino Control Commission •

Total Rules: 2 Original Filing Date: 5/1/2017 Jurisdiction Ends: 7/5/2017 Public Hearing: 6/6/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Original Filing	Yes	Yes	3772-10-26	Key controls.
New Rule	Original Filing	Yes	No	3772-10-26	Access controls.

24 Ohio Department of Medicaid • Eligibility

Click on the rule number in blue above to view the rule in its entirety on the *Register of Ohio* website.

Total Rules: 1 Original Filing Date: 5/1/2017

Jurisdiction Ends: 7/5/2017

Public Hearing:

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	No	5160:1-2-08	Medicaid: individual responsibilities.

25 Ohio Department of Medicaid •

Total Rules: 1 Original Filing Date: 4/19/2017

Date of Revised Filing: 4/28/2017

Jurisdiction Ends: 6/23/2017

Public Hearing: 5/22/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Revised Filing	No	Yes	5160-2-65	Inpatient hospital reimbursement.

26 Ohio Department of Medicaid •

Total Rules: 1 Original Filing Date: 4/14/2017

Date of Refiled Filing: 6/12/2017

Jurisdiction Ends: 7/12/2017

Public Hearing: 5/15/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Refiled Filing	No	No	5160-1-60	Medicaid payment.

27 Ohio Environmental Protection Agency •

Total Rules: 1 Original Filing Date: 4/19/2017

Jurisdiction Ends: 6/23/2017

Public Hearing: 5/25/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	Yes	Yes	3745-352-20	What are my responsibilities if I am an owner or operator?.

28 State Highway Patrol Retirement System •

Total Rules: 1 Original Filing Date: 5/3/2017

Jurisdiction Ends: 7/7/2017

Public Hearing:

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Original Filing	No	Yes	5505-7-04	Health care.

Total Rules: 1 Original Filing Date: 5/3/2017

Date of Revised Filing: 5/15/2017

Jurisdiction Ends: 7/7/2017

Public Hearing:

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Revised Filing	No	No	5505-7-04	Health care.

29 State Racing Commission •

Total Rules: 1 Original Filing Date: 4/20/2017

Date of Revised Filing: 5/9/2017

Jurisdiction Ends: 6/24/2017

Public Hearing: 5/23/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Revised Filing	Yes	No	3769-2-43	Commission to determine distribution percentage of video lottery terminal income.

To Be Refiled

30 Ohio Department of Medicaid •Click on the rule number in blue above to view the rule in its entirety on the *Register of Ohio* website.

Total Rules: 2	Original Filing Date: 4/18/2017	Date of To Be Refiled: 6/12/2017	Jurisdiction Ends:	Public Hearing: 5/19/2017
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u> <u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	To Be Refiled	Yes Yes	5160-22-01	Ambulatory surgery center (ASC) services: provider eligibility, coverage, and reimbursement.
New Rule	To Be Refiled	Yes No	5160-22-01	Ambulatory surgery center (ASC) services: provider eligibility, coverage, and reimbursement.

31 Ohio Department of Medicaid •

Total Rules: 1	Original Filing Date: 4/14/2017	Date of To Be Refiled: 6/14/2017	Jurisdiction Ends:	Public Hearing: 5/15/2017
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u> <u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	To Be Refiled	No No	5160-34-01	Intensive Behavioral Services for Children with Autism.

Withdrawn

32 Attorney General • Charitable Foundation

Total Rules: 1	Original Filing Date: 5/22/2017	Date of Withdrawn Filing: 6/5/2017	Jurisdiction Ends:	Public Hearing: 6/23/2017
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u> <u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Withdrawn Filing	No Yes	109:1-3-01	Application for charitable bingo license.

Review

33 Department of Job and Family Services • ODJFS Practices

Total Rules: 2	Original Filing Date: 4/20/2017	Jurisdiction Ends: 6/24/2017	Public Hearing: 5/24/2017
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u> <u>FYR</u>	<u>Rule Number</u> <u>Rule Title</u>
Rescission	Original Filing	No Yes	5101:9-6-80 State child support allocations.
New Rule	Original Filing	No No	5101:9-6-80 State child support allocations.