

JOINT COMMITTEE ON AGENCY RULE REVIEW
Agenda - 7/31/2017 - 1:30 P.M.
Statehouse Hearing Room 121(William McKinley Room)



FINAL AGENDA

FINAL AGENDA

Consent

1 Attorney General • Charitable Foundation

Total Rules: 1	Original Filing Date: 6/5/2017	Jurisdiction Ends: 8/9/2017	Public Hearing:
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>
Amendment	Original Filing	No	Yes
		<u>Rule Number</u>	<u>Rule Title</u>
		109:1-3-01	Application for charitable bingo license.

2 Board of Nursing •

Total Rules: 1	Original Filing Date: 6/16/2017	Date of Revised Filing: 6/19/2017	Jurisdiction Ends: 8/20/2017	Public Hearing: 7/26/2017
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	
New Rule	Revised Filing	Yes	No	
		<u>Rule Number</u>	<u>Rule Title</u>	
		4723-9-10	Formulary; standards of prescribing for advanced practice registered nurses designated as clinical nurse specialists, certified nurse-midwives, or certified nurse practitioners.	

Total Rules: 2	Original Filing Date: 6/16/2017	Date of Revised Filing: 6/22/2017	Jurisdiction Ends: 8/20/2017	Public Hearing: 7/26/2017
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	
Rescission	Revised Filing	Yes	Yes	
Rescission	Revised Filing	Yes	Yes	
		<u>Rule Number</u>	<u>Rule Title</u>	
		4723-9-09	Standards of prescribing for nurses with a certificate to prescribe.	
		4723-9-10	Formulary.	

3 Bureau of Workers' Compensation •

Total Rules: 11	Original Filing Date: 5/31/2017	Jurisdiction Ends: 8/4/2017	Public Hearing: 7/10/2017
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>
Amendment	Original Filing	Yes	Yes
Amendment	Original Filing	Yes	Yes
Amendment	Original Filing	Yes	Yes
Amendment	Original Filing	Yes	Yes
Amendment	Original Filing	Yes	Yes
		<u>Rule Number</u>	<u>Rule Title</u>
		4123-19-03	Where an employer desires to secure the privilege to pay compensation, etc., directly.
		4123-19-03.1	Waiver of certain requirements.
		4123-19-05	Where an employer is a self-insuring risk and desires to become a state risk.
		4123-19-06	Procedures for revocation of self-insuring status.
		4123-19-08	Renewal of self-insuring risks.
		4123-19-09	In regard to complaints filed by employees against self-insuring employers under the provisions of section 4123.35 of the Revised Code.

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	4123-19-10	In regard to audits by the bureau of workers' compensation.
Amendment	Original Filing	Yes	Yes	4123-19-13	Self-insuring employers evaluation board.
Amendment	Original Filing	Yes	Yes	4123-19-14	Self-insured review panel.
Amendment	Original Filing	Yes	Yes	4123-19-15	Assessment for self-insuring employers' guaranty fund.
Amendment	Original Filing	Yes	Yes	4123-19-16	Self-insured construction projects.

4 Department of Aging •

Total Rules: 1 Original Filing Date: 6/7/2017 Jurisdiction Ends: 8/11/2017 Public Hearing: 7/10/2017

<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	173-4-05.2	Older Americans Act nutrition program: home-delivered meals projects.

5 Department of Agriculture • Food Safety

Total Rules: 1 Original Filing Date: 6/16/2017 Jurisdiction Ends: 8/20/2017 Public Hearing: 7/19/2017

<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	901:3-44-01	Mandatory food sampling tolerance level standards and action steps for maple syrup, sorghum, and honey.

6 Department of Agriculture • Food Safety

Total Rules: 6 Original Filing Date: 6/16/2017 Jurisdiction Ends: 8/20/2017 Public Hearing: 7/19/2017

<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	901:3-45-01	Voluntary grades and standards.
New Rule	Original Filing	Yes	No	901:3-45-01	Grades and Color Classes.
Amendment	Original Filing	Yes	Yes	901:3-45-02	Optional ingredients.
Amendment	Original Filing	Yes	Yes	901:3-45-03	Labeling.
Amendment	Original Filing	Yes	Yes	901:3-45-04	Packaging and fill.
Amendment	Original Filing	Yes	Yes	901:3-45-05	Bulk containers.

7 Department of Agriculture • Food Safety

Total Rules: 9 Original Filing Date: 6/16/2017 Jurisdiction Ends: 8/20/2017 Public Hearing: 7/19/2017

<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	901:3-46-01	Definitions.
Amendment	Original Filing	Yes	Yes	901:3-46-02	Voluntary sanitation and inspection standards for exempt honey, maple syrup, and sorghum producers.
Amendment	Original Filing	Yes	Yes	901:3-46-03	Registration.
Amendment	Original Filing	Yes	Yes	901:3-46-04	ODA seal of conformity and inspection.

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	901:3-46-05	Collection equipment.
Amendment	Original Filing	Yes	Yes	901:3-46-06	Packaging and fill.
Amendment	Original Filing	Yes	Yes	901:3-46-07	Bulk containers.
Amendment	Original Filing	Yes	Yes	901:3-46-08	Production/processing areas.
Amendment	Original Filing	Yes	Yes	901:3-46-09	Water supply.

8 Department of Developmental Disabilities • Community Services

Total Rules: 5 Original Filing Date: 6/16/2017 Jurisdiction Ends: 8/20/2017 Public Hearing: 7/18/2017

<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	5123:2-9-23	Home and community-based services waivers - environmental accessibility adaptations under the individual options and level one waivers.
Amendment	Original Filing	Yes	No	5123:2-9-30	Home and community-based services waivers - homemaker/ personal care under the individual options and level one waivers.
Rescission	Original Filing	Yes	Yes	5123:2-9-32	Home and community-based services waivers - adult family living under the individual options waiver.
Rescission	Original Filing	Yes	Yes	5123:2-9-33	Home and community-based services waivers - adult foster care under the individual options waiver.
New Rule	Original Filing	Yes	No	5123:2-9-33	Home and community-based services waivers - shared living under the individual options waiver.

9 Department of Job and Family Services • ODJFS Practices

Total Rules: 2 Original Filing Date: 6/8/2017 Jurisdiction Ends: 8/12/2017 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	5101:9-6-11	Child care non-administration funding allocation.
Amendment	Original Filing	No	Yes	5101:9-6-11.2	Child care administration allocation.

10 Department of Job and Family Services • ODJFS Practices

Total Rules: 2 Original Filing Date: 4/20/2017 Date of Refiled Filing: 7/19/2017 Jurisdiction Ends: 8/18/2017 Public Hearing: 7/24/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Refiled Filing	No	Yes	5101:9-6-80	State child support allocations.
New Rule	Refiled Filing	No	No	5101:9-6-80	State child support allocations.

11 Department of Mental Health and Addiction Services •

Total Rules: 2 Original Filing Date: 6/1/2017 Jurisdiction Ends: 8/5/2017 Public Hearing: 7/10/2017

<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	5122-30-14	Sleeping and living space.

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

New Rule Original Filing Yes No [5122-30-14](#) Sleeping and living space.

12 Department of Rehabilitation and Correction • Division of Parole and Community Services

Total Rules: 1 Original Filing Date: 6/12/2017 Date of Revised Filing: 6/19/2017 Jurisdiction Ends: 8/16/2017 Public Hearing: 7/18/2017

<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	No	5120:1-3-03	Inspection process.

13 Industrial Commission •

Total Rules: 2 Original Filing Date: 6/15/2017 Jurisdiction Ends: 8/19/2017 Public Hearing: 7/19/2017

<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	4121-3-18	Administrative appeals.
Amendment	Original Filing	No	No	4121-15-03	Standards of conduct.

14 Medical Marijuana Control Program • Forms and Methods of Administration

Total Rules: 8 Original Filing Date: 6/9/2017 Date of Revised Filing: 6/19/2017 Jurisdiction Ends: 8/13/2017 Public Hearing: 7/11/2017

<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	3796:8-1-01	Definitions.
New Rule	Revised Filing	Yes	No	3796:8-2-01	Authorized medical marijuana forms and methods of administration.
New Rule	Revised Filing	Yes	No	3796:8-2-02	Establishment of additional forms or methods of administration.
New Rule	Revised Filing	Yes	No	3796:8-2-03	Forms and form variations considered attractive to children.
New Rule	Revised Filing	Yes	No	3796:8-2-04	Quantity of medical marijuana that may be purchased by a patient or caregiver.
New Rule	Revised Filing	Yes	No	3796:8-2-05	Assignment of a product identifier.
New Rule	Revised Filing	Yes	No	3796:8-2-06	Portions, dosing, and units of medical marijuana sold at a dispensary.
New Rule	Revised Filing	Yes	No	3796:8-3-01	Product identifier fee.

15 Medical Marijuana Control Program • Medical Marijuana Dispensaries

Total Rules: 22 Original Filing Date: 6/9/2017 Date of Revised Filing: 6/19/2017 Jurisdiction Ends: 8/13/2017 Public Hearing: 7/11/2017

<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	3796:6-1-01	Definitions.
New Rule	Revised Filing	Yes	No	3796:6-2-01	Requests for application to operate medical marijuana dispensaries.
New Rule	Revised Filing	Yes	No	3796:6-2-03	Medical marijuana dispensary ownership and ownership requirements.
New Rule	Revised Filing	Yes	No	3796:6-2-05	Number of dispensary provisional licenses.
New Rule	Revised Filing	Yes	No	3796:6-2-07	Licensing of medical marijuana dispensary associated key employees and dispensary key employees.
New Rule	Revised Filing	Yes	No	3796:6-2-08	Licensing of medical marijuana dispensary support employees.

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

New Rule	Revised Filing	Yes	No	3796:6-2-09	Medical marijuana dispensary employees generally.
New Rule	Revised Filing	Yes	No	3796:6-2-10	Medical marijuana dispensary certificate of operation renewal.
New Rule	Revised Filing	Yes	No	3796:6-2-11	Medical marijuana dispensary - license bond.
New Rule	Revised Filing	Yes	No	3796:6-2-12	Change in dispensary ownership.
New Rule	Revised Filing	Yes	No	3796:6-2-13	Request to relocate a dispensary.
New Rule	Revised Filing	Yes	No	3796:6-2-14	Procedure for discontinuing business as a medical marijuana dispensary.
New Rule	Revised Filing	Yes	No	3796:6-3-01	Dispensary operations generally.
New Rule	Revised Filing	Yes	No	3796:6-3-02	Dispensary premises generally.
New Rule	Revised Filing	Yes	No	3796:6-3-03	Hours of operation.
New Rule	Revised Filing	Yes	No	3796:6-3-04	Procedures when dispensary is closed.
New Rule	Revised Filing	Yes	No	3796:6-3-05	Medical marijuana dispensary designated representative.
New Rule	Revised Filing	Yes	No	3796:6-3-06	Receipt of medical marijuana by a dispensary.
New Rule	Revised Filing	Yes	No	3796:6-3-07	Security, control, and storage of medical marijuana at a dispensary.
New Rule	Revised Filing	Yes	No	3796:6-3-08	Dispensing of medical marijuana.
New Rule	Revised Filing	Yes	No	3796:6-3-09	Labeling requirements for medical marijuana sold at a dispensary and accompanying materials.
New Rule	Revised Filing	Yes	No	3796:6-3-10	Dispensary reporting into the prescription monitoring program.

Total Rules: 3 Original Filing Date: 6/9/2017 Date of Revised Filing: 7/14/2017 Jurisdiction Ends: 8/13/2017 Public Hearing: 7/11/2017

<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	3796:6-2-02	Applications to operate medical marijuana dispensaries.
New Rule	Revised Filing	Yes	No	3796:6-2-04	Medical marijuana dispensary license application evaluation.
New Rule	Revised Filing	Yes	No	3796:6-2-06	Final inspection and certificate of operation for medical marijuana dispensaries.

16 Medical Marijuana Control Program • Medical Marijuana Dispensaries

Total Rules: 23 Original Filing Date: 6/9/2017 Date of Revised Filing: 6/19/2017 Jurisdiction Ends: 8/13/2017 Public Hearing: 7/11/2017

<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	3796:6-3-11	Duty to report.
New Rule	Revised Filing	Yes	No	3796:6-3-12	Dispensing error reporting.
New Rule	Revised Filing	Yes	No	3796:6-3-13	Review of dispensing errors.
New Rule	Revised Filing	Yes	No	3796:6-3-14	Destruction and disposal of medical marijuana.
New Rule	Revised Filing	Yes	No	3796:6-3-16	Monitoring, surveillance, and security requirements.
New Rule	Revised Filing	Yes	No	3796:6-3-17	Record keeping requirements.
New Rule	Revised Filing	Yes	No	3796:6-3-18	Confidentiality of patient records.

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

New Rule	Revised Filing	Yes	No	3796:6-3-19	Employee training requirements.
New Rule	Revised Filing	Yes	No	3796:6-3-20	Medical marijuana dispensary internal inventory control system.
New Rule	Revised Filing	Yes	No	3796:6-3-21	Recall procedures.
New Rule	Revised Filing	Yes	No	3796:6-3-22	Prohibitions.
New Rule	Revised Filing	Yes	No	3796:6-3-23	Dispensary access.
New Rule	Revised Filing	Yes	No	3796:6-3-24	Advertising, marketing, and signage.
New Rule	Revised Filing	Yes	No	3796:6-4-01	Enforcement generally.
New Rule	Revised Filing	Yes	No	3796:6-4-02	Compliance and inspection of medical marijuana dispensaries.
New Rule	Revised Filing	Yes	No	3796:6-4-03	Grounds for discipline.
New Rule	Revised Filing	Yes	No	3796:6-4-04	Revocation, suspension and termination of a medical marijuana dispensary certificate of operation or employee license.
New Rule	Revised Filing	Yes	No	3796:6-4-05	Suspension of a dispensary employee license without a hearing.
New Rule	Revised Filing	Yes	No	3796:6-4-06	Suspension of a dispensary provisional license or certificate of operation without a hearing.
New Rule	Revised Filing	Yes	No	3796:6-4-07	Failure to properly store medical marijuana.
New Rule	Revised Filing	Yes	No	3796:6-4-08	Restoration of license from discipline.
New Rule	Revised Filing	Yes	No	3796:6-4-09	Interagency cooperation.
New Rule	Revised Filing	Yes	No	3796:6-4-10	Variances.

Total Rules: 1 Original Filing Date: 6/9/2017 Date of Revised Filing: 7/5/2017 Jurisdiction Ends: 8/13/2017 Public Hearing: 7/11/2017

<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	3796:6-5-01	Medical marijuana dispensary fee structure.
----------	----------------	-----	----	-----------------------------	---

Total Rules: 1 Original Filing Date: 6/9/2017 Date of Revised Filing: 7/14/2017 Jurisdiction Ends: 8/13/2017 Public Hearing: 7/11/2017

<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	3796:6-3-15	Dispensary patient and caregiver educational materials.
----------	----------------	-----	----	-----------------------------	---

17 Medical Marijuana Control Program • Patients and Caregivers

Total Rules: 12 Original Filing Date: 6/9/2017 Date of Revised Filing: 6/19/2017 Jurisdiction Ends: 8/13/2017 Public Hearing: 7/11/2017

<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	3796:7-1-01	Definitions.
New Rule	Revised Filing	Yes	No	3796:7-2-01	Procedure for patient registration.
New Rule	Revised Filing	Yes	No	3796:7-2-02	Caregiver eligibility.
New Rule	Revised Filing	Yes	No	3796:7-2-03	Procedure for caregiver registration.
New Rule	Revised Filing	Yes	No	3796:7-2-04	Purchase of medical marijuana.

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

New Rule	Revised Filing	Yes	No	3796:7-2-05	Patient and caregiver registry - generally.
New Rule	Revised Filing	Yes	No	3796:7-2-06	Voluntary relinquishment of a medical marijuana registration.
New Rule	Revised Filing	Yes	No	3796:7-2-07	Duty to report.
New Rule	Revised Filing	Yes	No	3796:7-2-08	Grounds for discipline.
New Rule	Revised Filing	Yes	No	3796:7-2-09	Suspension of a patient or caregiver registration without a hearing.
New Rule	Revised Filing	Yes	No	3796:7-2-10	Confidentiality of patient records at hearing.
New Rule	Revised Filing	Yes	No	3796:7-3-01	Medical marijuana patient and caregiver fee structure.

18 Medical Marijuana Control Program • Processors

Total Rules: 19 Original Filing Date: 6/9/2017 Date of Revised Filing: 7/14/2017 Jurisdiction Ends: 8/13/2017 Public Hearing: 7/10/2017

<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	3796:3-1-01	Number of processor provisional licenses.
New Rule	Revised Filing	Yes	No	3796:3-1-02	Processor provisional license application.
New Rule	Revised Filing	Yes	No	3796:3-1-03	Processor application review.
New Rule	Revised Filing	Yes	No	3796:3-1-04	Processor provisional license award.
New Rule	Revised Filing	Yes	No	3796:3-1-05	Processor financial responsibility.
New Rule	Revised Filing	Yes	No	3796:3-1-06	Processor certificate of operation.
New Rule	Revised Filing	Yes	No	3796:3-1-07	Uninterrupted supply of medical marijuana.
New Rule	Revised Filing	Yes	No	3796:3-1-08	Processor transfer of ownership or location.
New Rule	Revised Filing	Yes	No	3796:3-1-09	Processor certificate of operation renewal.
New Rule	Revised Filing	Yes	No	3796:3-1-10	Winding down.
New Rule	Revised Filing	Yes	No	3796:3-2-01	Processor operations and quality assurance.
New Rule	Revised Filing	Yes	No	3796:3-2-02	Processor packaging and labeling.
New Rule	Revised Filing	Yes	No	3796:3-2-03	Processor waste disposal.
New Rule	Revised Filing	Yes	No	3796:3-2-04	Processor inventory control and storage.
New Rule	Revised Filing	Yes	No	3796:3-2-05	Processor security.
New Rule	Revised Filing	Yes	No	3796:3-2-06	Laboratory testing.
New Rule	Revised Filing	Yes	No	3796:3-2-07	Processor prohibited activities.
New Rule	Revised Filing	Yes	No	3796:3-2-08	Processor records and reporting requirements.
New Rule	Revised Filing	Yes	No	3796:3-3-01	Processor enforcement.

19 Medical Marijuana Control Program • Testing Laboratories

Total Rules: 20 Original Filing Date: 6/9/2017 Date of Revised Filing: 7/14/2017 Jurisdiction Ends: 8/13/2017 Public Hearing: 7/10/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
------------------	---------------	------------	------------	--------------------	-------------------

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

New Rule	Revised Filing	Yes	No	3796:4-1-01	Number of testing laboratory provisional licenses.
New Rule	Revised Filing	Yes	No	3796:4-1-02	Testing laboratory provisional license application.
New Rule	Revised Filing	Yes	No	3796:4-1-03	Testing laboratory application review.
New Rule	Revised Filing	Yes	No	3796:4-1-04	Testing laboratory provisional license award.
New Rule	Revised Filing	Yes	No	3796:4-1-05	Testing laboratory financial responsibility.
New Rule	Revised Filing	Yes	No	3796:4-1-06	Testing laboratory certificate of operation.
New Rule	Revised Filing	Yes	No	3796:4-1-07	Testing laboratory transfer of ownership or location.
New Rule	Revised Filing	Yes	No	3796:4-1-08	Testing laboratory certificate of operation renewal.
New Rule	Revised Filing	Yes	No	3796:4-1-09	Winding down.
New Rule	Revised Filing	Yes	No	3796:4-2-01	Testing laboratory operations.
New Rule	Revised Filing	Yes	No	3796:4-2-02	Testing laboratory proficiency testing and certification.
New Rule	Revised Filing	Yes	No	3796:4-2-03	Testing laboratory sample procurement.
New Rule	Revised Filing	Yes	No	3796:4-2-04	Testing laboratory analysis requirements.
New Rule	Revised Filing	Yes	No	3796:4-2-05	Testing laboratory reporting.
New Rule	Revised Filing	Yes	No	3796:4-2-06	Testing laboratory waste disposal.
New Rule	Revised Filing	Yes	No	3796:4-2-07	Testing laboratory security.
New Rule	Revised Filing	Yes	No	3796:4-2-08	Testing laboratory prohibited activities.
New Rule	Revised Filing	Yes	No	3796:4-2-09	Testing laboratory record keeping requirements.
New Rule	Revised Filing	Yes	No	3796:4-2-10	Testing laboratory transportation of medical marijuana samples.
New Rule	Revised Filing	Yes	No	3796:4-3-01	Testing laboratory enforcement.

20 Ohio Department of Medicaid • Eligibility

Total Rules: 2 Original Filing Date: 6/16/2017

Jurisdiction Ends: 8/20/2017 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	5160:1-3-04.3	Medicaid: determining patient liability.
Rescission	Original Filing	No	Yes	5160:1-3-04.4	Medicaid: income and patient liability determinations for individuals under the assisted living home and community based waiver.

Total Rules: 2 Original Filing Date: 6/16/2017

Date of Revised Filing: 7/13/2017 Jurisdiction Ends: 8/20/2017 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	5160:1-6-07	Medicaid: post-eligibility treatment of income for individuals in medical institutions.
New Rule	Revised Filing	No	No	5160:1-6-07.1	Medicaid: post-eligibility treatment of income for individuals receiving services through a home and community-based services (HCBS) waiver or the program of all-inclusive care for the elderly (PACE).

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

21 Ohio Department of Medicaid • Eligibility

Total Rules: 1 Original Filing Date: 6/16/2017 Jurisdiction Ends: 8/20/2017 Public Hearing: 7/17/2017

<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	5160:1-3-04.2	Medicaid: income computations for determining eligibility using the special income level.

22 Ohio Department of Medicaid • Eligibility

Total Rules: 6 Original Filing Date: 6/16/2017 Jurisdiction Ends: 8/20/2017 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	5160:1-3-06.1	Medicaid: treatment of income and resources of institutionalized individuals.
Rescission	Original Filing	No	Yes	5160:1-3-06.2	Medicaid: resource assessment.
Rescission	Original Filing	No	Yes	5160:1-3-06.3	Medicaid: treatment of resources for institutionalized individuals with a spouse in the community.
Rescission	Original Filing	No	Yes	5160:1-3-06.4	Medicaid: resource budgeting methodology for institutionalized individuals with a spouse in the community.
Rescission	Original Filing	No	Yes	5160:1-3-06.5	Medicaid: transfer of resources for institutionalized spouses with a spouse in the community.
New Rule	Original Filing	No	No	5160:1-6-03	Medicaid: special income rules that may apply when an individual is requesting medicaid payment for long-term care services.

Total Rules: 4 Original Filing Date: 6/16/2017 Date of Revised Filing: 7/13/2017 Jurisdiction Ends: 8/20/2017 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	5160:1-6-01.1	Medicaid: definitions relating to eligibility for long-term care services.
Amendment	Revised Filing	No	No	5160:1-6-03.2	Medicaid: use of qualified income trusts (QIT).
New Rule	Revised Filing	No	No	5160:1-6-04	Medicaid: treatment of income and resources for an institutionalized spouse with a spouse in the community.
New Rule	Revised Filing	No	No	5160:1-6-05	Medicaid: treatment of income and resources for spouses who are both seeking medicaid payment for long-term care (LTC) services.

Total Rules: 1 Original Filing Date: 6/16/2017 Date of Revised Filing: 7/20/2017 Jurisdiction Ends: 8/20/2017 Public Hearing:

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Revised Filing	No	No	5160:1-1-01	Medicaid: definitions.

23 Ohio Department of Medicaid • Eligibility

Total Rules: 2 Original Filing Date: 5/31/2017 Jurisdiction Ends: 8/4/2017 Public Hearing:

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
------------------	---------------	------------	------------	--------------------	-------------------

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

Rescission Original Filing Yes Yes [5160:1-6-01.8](#)

Medicaid: continuing care communities, life care communities and philanthropic long-term care facilities.

New Rule Original Filing Yes No [5160:1-6-02.3](#)

Medicaid: continuing care communities, life care communities, and philanthropic long-term care facilities.

24 Ohio Department of Medicaid • Eligibility

Total Rules: 8 Original Filing Date: 6/16/2017

Jurisdiction Ends: 8/20/2017 Public Hearing:

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>
Rescission	Original Filing	No	Yes	5160:1-3-02
New Rule	Original Filing	No	No	5160:1-3-02
Amendment	Original Filing	No	No	5160:1-3-05.1
Amendment	Original Filing	No	No	5160:1-3-05.12
Amendment	Original Filing	No	No	5160:1-3-05.20
Amendment	Original Filing	No	No	5160:1-3-05.6
Rescission	Original Filing	No	Yes	5160:1-3-05.8
New Rule	Original Filing	No	No	5160:1-3-05.8

<u>Rule Title</u>
Medicaid: criteria for age, blindness, or disability.
Medicaid: criteria for age, blindness, or disability.
Medicaid: resource requirement.
Medicaid: life insurance.
Medicaid: deeming of resources.
Medicaid: burial funds and contracts.
Medicaid: lump-sum payments.
Medicaid: lump-sum payments.

25 Ohio Department of Medicaid • Eligibility

Total Rules: 5 Original Filing Date: 6/16/2017

Jurisdiction Ends: 8/20/2017 Public Hearing:

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>
Rescission	Original Filing	No	Yes	5160:1-3-05.13
New Rule	Original Filing	No	No	5160:1-3-05.13
New Rule	Original Filing	No	No	5160:1-6-01
New Rule	Original Filing	No	No	5160:1-6-02
New Rule	Original Filing	No	No	5160:1-6-02.1

<u>Rule Title</u>
Medicaid: treatment of the home.
Medicaid: treatment of the home.
Medicaid: eligibility for medicaid payment for long-term care (LTC) services.
Medicaid: special resource rules when an individual is requesting or receiving medicaid payment for long-term care (LTC) services.
Medicaid: home equity limit for individuals requesting or receiving medicaid payment for long-term care (LTC) services.

26 Ohio Department of Medicaid • Eligibility

Total Rules: 13 Original Filing Date: 6/16/2017

Jurisdiction Ends: 8/20/2017 Public Hearing:

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>
Rescission	Original Filing	No	Yes	5160:1-3-05.17
Rescission	Original Filing	No	Yes	5160:1-3-05.2
Rescission	Original Filing	No	Yes	5160:1-3-05.3

<u>Rule Title</u>
Medicaid: life estates and life leases.
Medicaid: trusts.
Medicaid: the disclosure and treatment of annuities for medical assistance programs.

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

Rescission	Original Filing	No	Yes	5160:1-3-05.5	Medicaid: promissory notes, property agreements, and loans.
New Rule	Original Filing	No	No	5160:1-3-05.5	Medicaid: promissory notes, property agreements, and loans.
Rescission	Original Filing	No	Yes	5160:1-3-07.1	Medicaid: social security administration reporting alleged transfer of resources by supplemental security income (SSI) applicants to the Ohio department of medicaid (ODM).
Rescission	Original Filing	No	Yes	5160:1-3-07.2	Medicaid: transfer of resources.
Rescission	Original Filing	No	Yes	5160:1-3-07.3	Medicaid: disposal of resources for Ohio department of developmental disabilities and/or Ohio department of mental health and addiction services individuals.
New Rule	Original Filing	No	No	5160:1-6-06.2	Medicaid: treatment of transfers involving a trust.
New Rule	Original Filing	No	No	5160:1-6-06.4	Medicaid: transfers involving promissory notes, property agreements, and loans.
New Rule	Original Filing	No	No	5160:1-6-06.5	Medicaid: restricted medicaid coverage period.
New Rule	Original Filing	No	No	5160:1-6-06.7	Medicaid: allegations of asset transfers by the social security administration.
New Rule	Original Filing	No	No	5160:1-6-06.8	Medicaid: disposal of assets of individuals receiving services from the Ohio department of developmental disabilities and/or Ohio department of mental health and addiction services.

Total Rules: 7 Original Filing Date: 6/16/2017 Date of Revised Filing: 7/13/2017 Jurisdiction Ends: 8/20/2017 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	5160:1-3-05.17	Medicaid: life estates.
New Rule	Revised Filing	No	No	5160:1-3-05.2	Medicaid: trusts.
New Rule	Revised Filing	No	No	5160:1-3-05.3	Medicaid: annuities.
New Rule	Revised Filing	No	No	5160:1-6-06	Medicaid: transfer of assets.
New Rule	Revised Filing	No	No	5160:1-6-06.1	Medicaid: treatment of annuity purchases and transactions.
New Rule	Revised Filing	No	No	5160:1-6-06.3	Medicaid: transfers involving life estates.
New Rule	Revised Filing	No	No	5160:1-6-06.6	Medicaid: undue hardship exemption.

27 Ohio Department of Medicaid • Eligibility

Total Rules: 1 Original Filing Date: 6/16/2017 Date of Revised Filing: 7/13/2017 Jurisdiction Ends: 8/20/2017 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	5160:1-6-03.1	Medicaid: determining financial eligibility for medical assistance using the special income level.

28 Ohio Department of Medicaid •

Total Rules: 2 Original Filing Date: 6/9/2017 Jurisdiction Ends: 8/13/2017 Public Hearing: 7/10/2017

<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	No	No	5160-1-16	Preventive services.

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

Rescission	Original Filing	No	Yes	5160-4-34	Preventive medicine services.
29 <u>Ohio Department of Medicaid</u> •					
Total Rules: 4		Original Filing Date: 6/15/2017		Jurisdiction Ends: 8/19/2017 Public Hearing: 7/17/2017	
<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	5160-3-22	Rate recalculations, interest on overpayments, penalties, repayment of overpayments, and deposit of repayment of overpayments for nursing facilities (NFs).
Amendment	Original Filing	Yes	Yes	5160-3-30.1	Appeal of the franchise permit fee (FPF) determination and re-determination.
Amendment	Original Filing	No	Yes	5160-3-42.4	Nursing facilities (NFs): nonreimbursable costs.
Amendment	Original Filing	Yes	Yes	5160-3-64	Nursing facility payment for medicare part A cost sharing.
30 <u>Ohio Department of Medicaid</u> •					
Total Rules: 2		Original Filing Date: 5/31/2017		Jurisdiction Ends: 8/4/2017 Public Hearing: 7/3/2017	
<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	5160-3-06.1	Institutions for mental diseases (IMDs).
Amendment	Original Filing	Yes	Yes	5160-3-16.4	Coverage of bed-hold days for medically necessary and other limited absences from nursing facilities (NFs).
31 <u>Ohio Department of Medicaid</u> •					
Total Rules: 1		Original Filing Date: 6/5/2017		Jurisdiction Ends: 8/9/2017 Public Hearing: 7/6/2017	
<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	5160-4-31	Coverage of extra-corporeal-membrane-oxygenator (ECMO) services.
32 <u>State Board of Pharmacy • Impaired Licensees and Registrants</u>					
Total Rules: 5		Original Filing Date: 5/26/2017		Date of Refiled Filing: 7/3/2017 Jurisdiction Ends: 8/2/2017 Public Hearing: 6/28/2017	
<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	4729:4-1-01	Definitions - Impaired Licensees, Registrants and Probation.
New Rule	Refiled Filing	Yes	No	4729:4-1-02	Applicability.
New Rule	Refiled Filing	Yes	No	4729:4-1-03	Requirements for approved treatment providers.
New Rule	Refiled Filing	Yes	No	4729:4-1-04	Monitoring Contracts.
New Rule	Refiled Filing	Yes	No	4729:4-1-05	Probation.
33 <u>State Board of Pharmacy • Pharmacists</u>					
Total Rules: 1		Original Filing Date: 5/26/2017		Date of Refiled Filing: 7/3/2017 Jurisdiction Ends: 8/2/2017 Public Hearing: 6/28/2017	
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>

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

New Rule	Refiled Filing	Yes	No	4729:1-6-02	Consult agreements.
Total Rules: 1	Original Filing Date: 5/26/2017			Date of Refiled Filing: 7/7/2017	Jurisdiction Ends: 8/6/2017 Public Hearing: 6/28/2017
<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	No	No	4729:1-2-04	Successful completion of the Test of English as a Foreign Language, Internet-based Test.

34 State Board of Pharmacy • Pharmacy Interns

Total Rules: 2	Original Filing Date: 5/26/2017			Date of Refiled Filing: 7/7/2017	Jurisdiction Ends: 8/6/2017 Public Hearing: 6/28/2017
<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	4729:2-1-01	Definitions - Pharmacy Interns.
New Rule	Refiled Filing	No	No	4729:2-2-07	Successful completion of the Test of English as a Foreign Language, Internet-based Test.

35 State Board of Pharmacy •

Total Rules: 3	Original Filing Date: 5/26/2017			Date of Refiled Filing: 7/3/2017	Jurisdiction Ends: 8/2/2017 Public Hearing: 6/28/2017
<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	4729-5-14	Return to Stock in a Pharmacy.
New Rule	Refiled Filing	Yes	No	4729-5-25	Pharmacist, Pharmacy Intern and Technician Administered Testing.
New Rule	Refiled Filing	Yes	No	4729-9-13	Distributor of dangerous drugs samples and complimentary supplies.

36 State Board of Pharmacy •

Total Rules: 1	Original Filing Date: 6/16/2017			Date of Revised Filing: 7/11/2017	Jurisdiction Ends: 8/20/2017 Public Hearing: 7/19/2017
<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	No	4729-37-05	Electronic format required for the transmission of dispensing information.
Total Rules: 2	Original Filing Date: 6/16/2017			Date of Revised Filing: 7/20/2017	Jurisdiction Ends: 8/20/2017 Public Hearing: 7/19/2017
<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	No	4729-5-30	Manner of issuance of a prescription.
Amendment	Revised Filing	Yes	No	4729-37-04	Information required for submission.

37 State Dental Board •

Total Rules: 1	Original Filing Date: 6/16/2017				Jurisdiction Ends: 8/20/2017 Public Hearing: 7/26/2017
<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	No	4715-3-01	Definitions.
Total Rules: 1	Original Filing Date: 6/16/2017			Date of Revised Filing: 6/23/2017	Jurisdiction Ends: 8/20/2017 Public Hearing: 7/26/2017
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>

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

New Rule Revised Filing Yes No [4715-6-02](#) Prescribing opioid analgesics for acute pain.

38 State Medical Board •

Total Rules: 4 Original Filing Date: 6/9/2017 Jurisdiction Ends: 8/13/2017 Public Hearing: 7/10/2017

<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	4731-32-01	Definition of terms.
New Rule	Original Filing	Yes	No	4731-32-02	Certificate to recommend medical marijuana.
New Rule	Original Filing	Yes	No	4731-32-04	Suspension and revocation of certificate to recommend.
New Rule	Original Filing	Yes	No	4731-32-05	Petition to request additional qualifying condition or disease.

Total Rules: 1 Original Filing Date: 6/9/2017 Date of Revised Filing: 7/11/2017 Jurisdiction Ends: 8/13/2017 Public Hearing: 7/10/2017

<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	4731-32-03	Standard of care.

39 State Medical Board •

Total Rules: 1 Original Filing Date: 6/16/2017 Jurisdiction Ends: 8/20/2017 Public Hearing: 7/26/2017

<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	No	4731-11-02	General provisions.

Total Rules: 1 Original Filing Date: 6/16/2017 Date of Revised Filing: 6/23/2017 Jurisdiction Ends: 8/20/2017 Public Hearing: 7/26/2017

<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	No	4731-11-01	Definitions.

Total Rules: 1 Original Filing Date: 6/16/2017 Date of Revised Filing: 6/29/2017 Jurisdiction Ends: 8/20/2017 Public Hearing: 7/26/2017

<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	4731-11-13	Prescribing of opiate analgesics for acute pain.

To Be Refiled

40 Department of Aging •

Total Rules: 1 Original Filing Date: 5/31/2017 Date of To Be Refiled: 7/21/2017 Jurisdiction Ends: Public Hearing: 7/10/2017

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	To Be Refiled	Yes	Yes	173-39-02.7	Home medical equipment and supplies.

41 Ohio Environmental Protection Agency •

Total Rules: 11 Original Filing Date: 6/1/2017 Date of To Be Refiled: 7/27/2017 Jurisdiction Ends: Public Hearing: 7/11/2017

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>
Amendment	To Be Refiled	Yes	Yes	3745-17-01	Definitions.
Amendment	To Be Refiled	Yes	Yes	3745-17-03	Measurement methods and procedures.
Amendment	To Be Refiled	Yes	Yes	3745-17-04	Compliance time schedules.
Amendment	To Be Refiled	Yes	Yes	3745-17-07	Control of visible particulate emissions from stationary sources.
Amendment	To Be Refiled	Yes	Yes	3745-17-08	Restriction of emission of fugitive dust.
Amendment	To Be Refiled	Yes	Yes	3745-17-09	Restrictions on particulate emissions and odors from incinerators.
Amendment	To Be Refiled	Yes	Yes	3745-17-10	Restrictions on particulate emissions from fuel burning equipment.
Amendment	To Be Refiled	Yes	Yes	3745-17-11	Restrictions on particulate emissions from industrial processes.
Amendment	To Be Refiled	Yes	Yes	3745-17-12	Additional restrictions on particulate emissions from specific air contaminant sources in Cuyahoga county.
Amendment	To Be Refiled	Yes	Yes	3745-17-13	Additional restrictions on particulate emissions from specific air contaminant sources in Jefferson county.
Amendment	To Be Refiled	Yes	Yes	3745-17-14	Contingency plan requirements for Cuyahoga and Jefferson counties.