

**JOINT COMMITTEE ON AGENCY RULE REVIEW**  
**Agenda - 9/17/2018 - 1:30 PM**  
**Senate Finance Hearing Room (Finan Hearing Room)**



**FINAL REGULAR AGENDA**

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**1 Attorney General • Peace Officer Training Commission**

Total Rules: 4      Original Filing Date: 7/30/2018

Jurisdiction Ends: 10/3/2018      Public Hearing: 9/7/2018

<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	<a href="#">109:2-2-01</a>	Definitions.
New Rule	Original Filing	No	No	<a href="#">109:2-2-02</a>	Training.
New Rule	Original Filing	No	No	<a href="#">109:2-2-03</a>	Certification of students.
New Rule	Original Filing	No	No	<a href="#">109:2-2-04</a>	Forms.

**2 Department of Agriculture • Animal Industry**

Total Rules: 3      Original Filing Date: 7/30/2018

Jurisdiction Ends: 10/3/2018      Public Hearing: 8/30/2018

<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	<a href="#">901:1-8-01</a>	Definitions.
Amendment	Original Filing	No	No	<a href="#">901:1-8-04</a>	Pet store recordkeeping.
Amendment	Original Filing	No	No	<a href="#">901:1-8-05</a>	Dog retailer recordkeeping.

**3 Department of Agriculture • Food Safety**

Total Rules: 18      Original Filing Date: 8/8/2018

Jurisdiction Ends: 10/12/2018      Public Hearing: 9/12/2018

<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	<a href="#">901:3-1-01</a>	Criteria and definitions for good manufacturing practices; labeling and standards of identity.
Rescission	Original Filing	Yes	Yes	<a href="#">901:3-1-02</a>	Personnel.
Rescission	Original Filing	Yes	Yes	<a href="#">901:3-1-03</a>	Plant and grounds.
Rescission	Original Filing	Yes	Yes	<a href="#">901:3-1-04</a>	Sanitary operations.
Rescission	Original Filing	Yes	Yes	<a href="#">901:3-1-05</a>	Sanitary facilities and controls.
Rescission	Original Filing	Yes	Yes	<a href="#">901:3-1-06</a>	Equipment and utensils.
Rescission	Original Filing	Yes	Yes	<a href="#">901:3-1-07</a>	Controls.

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	<a href="#">901:3-1-08</a>	Raw materials and other ingredients.
Rescission	Original Filing	Yes	Yes	<a href="#">901:3-1-09</a>	Manufacturing operations.
Rescission	Original Filing	Yes	Yes	<a href="#">901:3-1-10</a>	Warehousing and distribution.
Amendment	Original Filing	Yes	No	<a href="#">901:3-5-01</a>	Criteria and definitions for processing acidified foods in hermetically sealed containers.
Amendment	Original Filing	Yes	No	<a href="#">901:3-6-02</a>	Food.
Amendment	Original Filing	Yes	No	<a href="#">901:3-7-01</a>	Criteria and definitions for fish and fishery products.
Amendment	Original Filing	Yes	No	<a href="#">901:3-7-07</a>	Sanitation control procedures.
Amendment	Original Filing	Yes	No	<a href="#">901:3-23-01</a>	Criteria and definitions for juice products.
Amendment	Original Filing	Yes	No	<a href="#">901:3-23-02</a>	Sanitation standard operating procedures.
Amendment	Original Filing	Yes	No	<a href="#">901:3-23-09</a>	Process controls and verification.
Amendment	Original Filing	Yes	No	<a href="#">901:3-62-01</a>	Criteria and definitions for processing bottled water.

**4 Department of Agriculture • Plant Industry**

Total Rules: 4      Original Filing Date: 7/26/2018      Jurisdiction Ends: 9/29/2018      Public Hearing: 8/29/2018

<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	<a href="#">901:5-5-01</a>	Definitions.
Amendment	Original Filing	Yes	Yes	<a href="#">901:5-5-02</a>	Tolerances.
Rescission	Original Filing	Yes	Yes	<a href="#">901:5-5-03</a>	Sample analysis.
Amendment	Original Filing	Yes	Yes	<a href="#">901:5-5-04</a>	Sampling.

**5 Department of Education •**

Total Rules: 1      Original Filing Date: 8/10/2018      Jurisdiction Ends: 10/14/2018      Public Hearing: 9/17/2018

<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	<a href="#">3301-25-10</a>	One-year instructional assistant permit; Renewal thereof.

**6 Department of Job and Family Services • Child Support**

Total Rules: 5      Original Filing Date: 7/31/2018      Jurisdiction Ends: 10/4/2018      Public Hearing: 9/6/2018

<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	<a href="#">5101:12-10-99</a>	Chapter 5101:12-10 forms - child support program administration.
Amendment	Original Filing	Yes	Yes	<a href="#">5101:12-50-10</a>	Income withholding or income deduction.
Amendment	Original Filing	No	Yes	<a href="#">5101:12-50-10.1</a>	Income that may be withheld or deducted.

Amendment	Original Filing	No	Yes	<a href="#">5101:12-50-10.2</a>	CSEA's responsibility for income withholding and income deduction.
Amendment	Original Filing	No	Yes	<a href="#">5101:12-50-10.8</a>	Withholding from unemployment compensation benefits initiated by a child support enforcement agency.

**7 Department of Job and Family Services • Child Support**

Total Rules: 3      Original Filing Date: 7/25/2018      Jurisdiction Ends: 9/28/2018      Public Hearing: 8/27/2018

<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	<a href="#">5101:12-1-53</a>	Program income.
Amendment	Original Filing	No	Yes	<a href="#">5101:12-10-32</a>	Good cause waiver of cooperation.
Amendment	Original Filing	No	Yes	<a href="#">5101:12-45-15</a>	Grandparent's request for child support for grandchild.

**8 Department of Job and Family Services • Division of Social Services**

Total Rules: 1      Original Filing Date: 9/6/2017      Date of Refiled Filing: 8/17/2018      Jurisdiction Ends: 9/16/2018      Public Hearing:

<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	<a href="#">5101:2-20-01</a>	Adult protective services definitions.

**9 Department of Mental Health and Addiction Services •**

Total Rules: 2      Original Filing Date: 5/29/2018      Date of Refiled Filing: 8/23/2018      Jurisdiction Ends: 9/22/2018      Public Hearing: 7/2/2018

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Refiled Filing	Yes	No	<a href="#">5122-29-15</a>	Peer recovery services.
Amendment	Refiled Filing	Yes	No	<a href="#">5122-29-15.1</a>	Certified peer recovery supporter.

**10 Department of Mental Health and Addiction Services •**

Total Rules: 2      Original Filing Date: 7/16/2018      Jurisdiction Ends: 9/19/2018      Public Hearing: 8/22/2018

<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	Exempt	<a href="#">5122-2-25</a>	Morbidity, mortality, and sentinel events.
New Rule	Original Filing	No	No	<a href="#">5122-2-25</a>	Morbidity and mortality events.

**11 Department of Mental Health and Addiction Services •**

Total Rules: 1      Original Filing Date: 7/25/2018      Jurisdiction Ends: 9/28/2018      Public Hearing: 8/27/2018

<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	<a href="#">5122-29-34</a>	Outpatient treatment program certification.

**12 Department of Rehabilitation and Correction •**

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Total Rules: 2      Original Filing Date: 7/19/2018

Jurisdiction Ends: 9/22/2018      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	<a href="#">5120-9-25</a>	Appearance and grooming of male inmates.
Amendment	Original Filing	No	No	<a href="#">5120-9-25.1</a>	Appearance and grooming of female inmates.

**13 Department of Rehabilitation and Correction •**

Total Rules: 1      Original Filing Date: 7/19/2018

Date of Revised Filing: 8/15/2018

Jurisdiction Ends: 9/22/2018      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	<a href="#">5120-7-11</a>	Licensed Health Professional Recruiting Program.

**14 Department of Transportation • Division of Highways**

Total Rules: 23      Original Filing Date: 7/16/2018

Date of Refiled Filing: 8/23/2018

Jurisdiction Ends: 9/22/2018      Public Hearing: 8/17/2018

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Refiled Filing	Yes	Yes	<a href="#">5501:2-1-01</a>	Definitions.
Amendment	Refiled Filing	Yes	Yes	<a href="#">5501:2-1-03</a>	Permit application procedure.
New Rule	Refiled Filing	Yes	No	<a href="#">5501:2-1-06</a>	Emergency permit application procedure.
Rescission	Refiled Filing	Yes	Yes	<a href="#">5501:2-1-07</a>	Emergency permit application procedure.
New Rule	Refiled Filing	Yes	No	<a href="#">5501:2-1-07</a>	Limitations on permits.
Rescission	Refiled Filing	Yes	Yes	<a href="#">5501:2-1-08</a>	Limitations on permits.
New Rule	Refiled Filing	Yes	No	<a href="#">5501:2-1-08</a>	Conditions on permitted movements.
Rescission	Refiled Filing	Yes	Yes	<a href="#">5501:2-1-09</a>	Conditions on permitted movements.
New Rule	Refiled Filing	Yes	No	<a href="#">5501:2-1-09</a>	Schedule of fees and payment procedure.
Rescission	Refiled Filing	Yes	Yes	<a href="#">5501:2-1-10</a>	Schedule of fees and payment procedure.
New Rule	Refiled Filing	Yes	No	<a href="#">5501:2-1-10</a>	Penalties for permit violation.
Rescission	Refiled Filing	Yes	Yes	<a href="#">5501:2-1-11</a>	Penalties for permit violation.
New Rule	Refiled Filing	Yes	No	<a href="#">5501:2-1-11</a>	Right of appeal.
Rescission	Refiled Filing	Yes	Yes	<a href="#">5501:2-1-12</a>	Right of appeal.
New Rule	Refiled Filing	Yes	No	<a href="#">5501:2-1-12</a>	Responsibilities of driver of overweight and over dimension vehicle.
Rescission	Refiled Filing	Yes	Yes	<a href="#">5501:2-1-13</a>	Responsibilities of driver of overweight and over dimension vehicle.
New Rule	Refiled Filing	Yes	No	<a href="#">5501:2-1-13</a>	Continuing annual permit.
Rescission	Refiled Filing	Yes	Yes	<a href="#">5501:2-1-14</a>	Conditions on approved facility.

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	<a href="#">5501:2-1-14</a>	Special oversize and overweight permits for sealed containerized loads.
Rescission	Refiled Filing	Yes	Yes	<a href="#">5501:2-1-15</a>	Continuing annual permit.
New Rule	Refiled Filing	Yes	No	<a href="#">5501:2-1-15</a>	Regional heavy haul permits.
Rescission	Refiled Filing	Yes	Yes	<a href="#">5501:2-1-16</a>	Special oversize and overweight permits for sealed containerized loads.
Rescission	Refiled Filing	Yes	Yes	<a href="#">5501:2-1-17</a>	Regional heavy haul permits.

**15 Department of Youth Services •**

Total Rules: 2      Original Filing Date: 8/6/2018      Jurisdiction Ends: 10/10/2018      Public Hearing: 9/11/2018

<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	<a href="#">5139-36-07</a>	Audit process.
Amendment	Original Filing	No	No	<a href="#">5139-36-21</a>	Juvenile rights, control and treatment.

**16 Ohio Department of Medicaid •**

Total Rules: 2      Original Filing Date: 8/10/2018      Jurisdiction Ends: 10/14/2018      Public Hearing: 9/10/2018

<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	<a href="#">5160-1-17.8</a>	Provider screening and application fee.
New Rule	Original Filing	Yes	No	<a href="#">5160-1-17.8</a>	Provider screening and application fee.

**17 Ohio Department of Medicaid •**

Total Rules: 2      Original Filing Date: 7/17/2018      Jurisdiction Ends: 9/20/2018      Public Hearing: 8/17/2018

<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	<a href="#">5160-1-71</a>	Patient-centered medical homes (PCMH): eligible providers.
New Rule	Original Filing	Yes	No	<a href="#">5160-1-71</a>	Patient-centered medical homes (PCMH): eligible providers.

**18 Ohio Environmental Protection Agency •**

Total Rules: 2      Original Filing Date: 7/19/2018      Jurisdiction Ends: 9/22/2018      Public Hearing: 8/23/2018

<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	<a href="#">3745-34-03</a>	Confidentiality of information.
New Rule	Original Filing	Yes	No	<a href="#">3745-34-03</a>	Confidentiality of information.

**19 Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board •**

Total Rules: 7      Original Filing Date: 8/2/2018      Jurisdiction Ends: 10/6/2018      Public Hearing: 9/7/2018

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
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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	<a href="#">4755-21-01</a>	Notice of meetings.	
Rescission	Original Filing	Yes	Yes	<a href="#">4755-21-02</a>	Method of public notice in adopting, amending or rescinding rules.	
New Rule	Original Filing	Yes	No	<a href="#">4755-21-02</a>	Method of public notice in adopting, amending or rescinding rules.	
Rescission	Original Filing	Yes	Yes	<a href="#">4755-28-01</a>	Surrender of license.	
Amendment	Original Filing	Yes	Yes	<a href="#">4755-40-01</a>	Notice of meetings.	
Rescission	Original Filing	Yes	Yes	<a href="#">4755-40-02</a>	Method of public notice in adopting, amending or rescinding rules.	
New Rule	Original Filing	Yes	No	<a href="#">4755-40-02</a>	Method of public notice in adopting, amending or rescinding rules.	
Total Rules: 9		Original Filing Date: 8/2/2018		Date of Revised Filing: 8/14/2018	Jurisdiction Ends: 10/6/2018	Public Hearing: 9/7/2018

<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	<a href="#">4755-3-01</a>	Applications for initial licensure.	
Amendment	Revised Filing	Yes	Yes	<a href="#">4755-3-06</a>	Denial, suspension or revocation of license.	
Amendment	Revised Filing	Yes	Yes	<a href="#">4755-3-08</a>	Notice of change of address.	
Amendment	Revised Filing	Yes	Yes	<a href="#">4755-3-09</a>	Active practice defined.	
Amendment	Revised Filing	Yes	Yes	<a href="#">4755-3-12</a>	Application for reinstatement.	
Amendment	Revised Filing	Yes	Yes	<a href="#">4755-3-13</a>	Verification of licensure.	
Amendment	Revised Filing	Yes	Yes	<a href="#">4755-21-03</a>	Denial and disciplinary action procedures.	
Amendment	Revised Filing	Yes	Yes	<a href="#">4755-41-01</a>	Code of ethical conduct.	
Amendment	Revised Filing	Yes	Yes	<a href="#">4755-41-03</a>	Reporting requirements.	
Total Rules: 1		Original Filing Date: 8/2/2018		Date of Revised Filing: 8/23/2018	Jurisdiction Ends: 10/6/2018	Public Hearing: 9/7/2018

<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	<a href="#">4755-3-10</a>	Biennial renewal of licensure.

**20 Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board •**

Total Rules: 1		Original Filing Date: 8/2/2018		Date of Revised Filing: 8/14/2018	Jurisdiction Ends: 10/6/2018	Public Hearing: 9/7/2018
<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	<a href="#">4755-9-01</a>	Continuing education.	

**21 Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board •**

Total Rules: 1		Original Filing Date: 8/2/2018		Jurisdiction Ends: 10/6/2018		Public Hearing: 9/7/2018
<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	<a href="#">4755-23-03</a>	License by examination.	

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

**22 Opportunities for Ohioans with Disabilities •**

Total Rules: 5 Original Filing Date: 8/9/2018

Jurisdiction Ends: 10/13/2018 Public Hearing: 9/11/2018

<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	<a href="#">3304-4-01</a>	Definitions for the personal care assistance program.
New Rule	Original Filing	Yes	No	<a href="#">3304-4-01</a>	Definitions for the personal care assistance program.
Amendment	Original Filing	Yes	Yes	<a href="#">3304-4-02</a>	Personal care assistance program.
Amendment	Original Filing	Yes	Yes	<a href="#">3304-4-03</a>	Grievances.
Amendment	Original Filing	Yes	Yes	<a href="#">3304-4-04</a>	Disciplinary causes and procedures.

**23 Petroleum Underground Storage Tank Release Compensation Board •**

Total Rules: 10 Original Filing Date: 8/10/2018

Jurisdiction Ends: 10/14/2018 Public Hearing: 9/12/2018

<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	<a href="#">3737-1-03</a>	Definitions.
Amendment	Original Filing	Yes	No	<a href="#">3737-1-04</a>	Annual petroleum underground storage tank financial assurance fee, certification of compliance, and financial responsibility.
Amendment	Original Filing	Yes	No	<a href="#">3737-1-04.1</a>	Coverage reinstatement.
Amendment	Original Filing	Yes	No	<a href="#">3737-1-07</a>	Establishing fund eligibility for corrective action costs.
Amendment	Original Filing	No	No	<a href="#">3737-1-08</a>	Disbursement of the financial assurance fund.
Amendment	Original Filing	No	No	<a href="#">3737-1-09</a>	Limitations of fund coverage.
Amendment	Original Filing	Yes	No	<a href="#">3737-1-12</a>	Application for reimbursement.
Amendment	Original Filing	Yes	No	<a href="#">3737-1-12.1</a>	Mandatory and voluntary pre-approval of corrective action costs.
Amendment	Original Filing	Yes	No	<a href="#">3737-1-15</a>	Modifying the deductible or the reduced deductible.
Amendment	Original Filing	Yes	No	<a href="#">3737-1-19</a>	Establishing fund eligibility for third-party claims.

**24 School Employees Retirement System •**

Total Rules: 3 Original Filing Date: 7/25/2018

Jurisdiction Ends: 9/28/2018 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	<a href="#">3309-1-08</a>	Payment of benefits and allowances.
Amendment	Original Filing	No	No	<a href="#">3309-1-54</a>	Purchase of service credit with amounts designated as picked-up contributions.
Amendment	Original Filing	No	No	<a href="#">3309-1-58</a>	Retirement of member pursuant to section 3309.343 of the Revised Code.

**25 State Highway Patrol Retirement System •**

Total Rules: 2      Original Filing Date: 7/23/2018

Jurisdiction Ends: 9/26/2018      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	<a href="#">5505-3-02</a>	Disability retirement application and hearing process.
Amendment	Original Filing	No	Yes	<a href="#">5505-7-05</a>	Cost of living benefit.