

JOINT COMMITTEE ON AGENCY RULE REVIEW
Agenda - 1/25/2021 - 1:30 P.M.
Statehouse Hearing Room 121(William McKinley Room)



FINAL AGENDA

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Consent

1 Department of Administrative Services • Division of Human Resources

Total Rules: 1 Original Filing Date: 11/23/2020

Jurisdiction Ends: 1/27/2021 Public Hearing: 12/29/2020

<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	123:1-46-05	Leave donation program.

2 Department of Agriculture • Livestock Environmental Permitting

Total Rules: 25 Original Filing Date: 11/25/2020

Jurisdiction Ends: 1/29/2021 Public Hearing: 12/29/2020

<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	901:10-1-02	General administrative requirements for permits.
Amendment	Original Filing	Yes	Yes	901:10-1-03	Criteria for decision-making.
Amendment	Original Filing	Yes	Yes	901:10-1-05	Trade secrets requests for confidentiality.
Amendment	Original Filing	Yes	Yes	901:10-1-06	Certified livestock manager.
Amendment	Original Filing	Yes	Yes	901:10-1-08	Permit transfer.
Amendment	Original Filing	Yes	Yes	901:10-1-09	Permit modifications.
Amendment	Original Filing	Yes	Yes	901:10-1-10	Prohibitions.
Amendment	Original Filing	Yes	Yes	901:10-2-01	Permit to install: purpose and applicability.
Amendment	Original Filing	Yes	Yes	901:10-2-02	Permit to install: siting criteria.
Amendment	Original Filing	Yes	Yes	901:10-2-04	Manure storage and treatment facilities.
Amendment	Original Filing	Yes	Yes	901:10-2-05	Fabricated structures.
Amendment	Original Filing	Yes	Yes	901:10-2-06	Manure storage pond and manure treatment lagoon.
Amendment	Original Filing	Yes	Yes	901:10-2-08	Contents of the manure management plan: inspections, maintenance and monitoring.
Amendment	Original Filing	Yes	Yes	901:10-2-09	Contents of manure management plan: nutrient budget.
Amendment	Original Filing	Yes	Yes	901:10-2-10	Contents of manure management plan: manure characterization.
Amendment	Original Filing	Yes	Yes	901:10-2-11	Contents of manure management plan: distribution and utilization methods.

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	901:10-2-12	Contents of manure management plan: methods to minimize odors.
Amendment	Original Filing	Yes	Yes	901:10-2-13	Contents of manure management plan: soil characterization.
Amendment	Original Filing	Yes	Yes	901:10-2-14	Contents of manure management plan: land application methods.
Amendment	Original Filing	Yes	Yes	901:10-2-16	Permit to operate and operating record requirements.
Amendment	Original Filing	Yes	Yes	901:10-2-19	Permit to operate: insect and rodent control plan.
Amendment	Original Filing	Yes	Yes	901:10-2-20	Annual report.
Amendment	Original Filing	Yes	Yes	901:10-3-01	Additional requirements for a NPDES permit application.
Amendment	Original Filing	Yes	Yes	901:10-6-02	Contents of public notices.
Amendment	Original Filing	Yes	Yes	901:10-6-04	Public meetings; close of the public comment period.

3 Department of Commerce • Board of Building Appeals

Total Rules: 6 Original Filing Date: 11/25/2020 Jurisdiction Ends: 1/29/2021 Public Hearing: 12/28/2020

<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	4101:13-1-03	Filing of documents.
Amendment	Original Filing	Yes	Yes	4101:13-1-04	Appeal from orders enforcing the Ohio building code, the Ohio elevator code, the Ohio boiler pressure and vessel code, and the Ohio fire code.
Amendment	Original Filing	Yes	Yes	4101:13-1-08	Continuances.
Amendment	Original Filing	Yes	Yes	4101:13-1-10	Stipulations.
Amendment	Original Filing	Yes	Yes	4101:13-1-12	Procedure for notice of public meetings.
Amendment	Original Filing	Yes	Yes	4101:13-1-13	Fees for filing and processing of appeals.

4 Department of Commerce • Division of Industrial Compliance

Total Rules: 8 Original Filing Date: 11/30/2020 Jurisdiction Ends: 2/3/2021 Public Hearing: 1/5/2021

<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	1301:3-7-01	Definitions.
Rescission	Original Filing	Yes	Yes	1301:3-7-02	Application for initial certification as a backflow technician.
New Rule	Original Filing	Yes	No	1301:3-7-02	Classes of backflow technician certificates; Application for initial certification as a backflow technician.
Amendment	Original Filing	Yes	Yes	1301:3-7-03	Backflow technician examination.
Amendment	Original Filing	Yes	Yes	1301:3-7-04	Fees for backflow application and examination.
Amendment	Original Filing	Yes	Yes	1301:3-7-06	Approval of training agency for backflow technician education.
Amendment	Original Filing	Yes	Yes	1301:3-7-07	Denial, revocation, or suspension of a backflow certificate.
Amendment	Original Filing	Yes	Yes	1301:3-7-08	Administrative appeal for backflow technician.

5 Department of Insurance •

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: 11/30/2020 Jurisdiction Ends: 2/3/2021 Public Hearing: 1/4/2021

<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	3901-6-13	Suitability in annuity transactions.
New Rule	Original Filing	Yes	No	3901-6-13	Suitability in annuity transactions.

6 Department of Job and Family Services • Division of Social Services

Total Rules: 4 Original Filing Date: 11/30/2020 Jurisdiction Ends: 2/3/2021 Public Hearing: 1/5/2021

<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	5101:2-9-02	Staffing requirements.
Amendment	Original Filing	Yes	Yes	5101:2-9-06	General safety.
Amendment	Original Filing	Yes	Yes	5101:2-9-37	Information to be provided by residential facilities.
Amendment	Original Filing	Yes	Yes	5101:2-9-38	Community engagement plan for residential facilities.

Total Rules: 1 Original Filing Date: 11/30/2020 Date of Refiled Filing: 1/12/2021 Jurisdiction Ends: 2/11/2021 Public Hearing: 1/5/2021

<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	5101:2-9-03	Staff development and evaluation.

7 Department of Job and Family Services • Division of Social Services

Total Rules: 1 Original Filing Date: 11/30/2020 Jurisdiction Ends: 2/3/2021 Public Hearing: 1/5/2021

<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	5101:2-48-19	Sharing or transferring an adoptive homestudy.

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

Total Rules: 10 Original Filing Date: 11/30/2020 Jurisdiction Ends: 2/3/2021 Public Hearing: 1/5/2021

<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	5101:2-48-03	Requirement of "Social and Medical History".
Amendment	Original Filing	Yes	Yes	5101:2-48-06	Assessor roles and responsibilities for foster care and adoption.
Amendment	Original Filing	Yes	Yes	5101:2-48-08	Adoption inquiry.
Amendment	Original Filing	Yes	Yes	5101:2-48-09	Application process and preservice training.
Amendment	Original Filing	Yes	Yes	5101:2-48-10	Restrictions concerning provision of adoption services.
Amendment	Original Filing	Yes	Yes	5101:2-48-11	Approval of a foster home for adoptive placement.
Amendment	Original Filing	Yes	Yes	5101:2-48-11.1	Foster caregiver adoption of a foster child or sibling group who has resided with the caregiver for at least six consecutive months.
Amendment	Original Filing	Yes	No	5101:2-48-12	Completion of the adoption homestudy.
Amendment	Original Filing	Yes	Yes	5101:2-48-12.1	Adoption homestudy updates.

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Amendment Original Filing Yes Yes [5101:2-48-12.2](#) Required notification and adoption homestudy amendments.

9 Department of Transportation • Division of Highways

Total Rules: 4 Original Filing Date: 11/30/2020 Jurisdiction Ends: 2/3/2021 Public Hearing: 1/8/2021

<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	5501:2-3-03	Responsibility and competency.
Amendment	Original Filing	Yes	Yes	5501:2-3-05	Certificate of qualification.
Amendment	Original Filing	Yes	Yes	5501:2-3-08	Subcontracting procedure.
Amendment	Original Filing	Yes	Yes	5501:2-3-10	Revocation and debarment.

10 Development Services Agency • Data Center Tax Exemption

Total Rules: 4 Original Filing Date: 11/23/2020 Jurisdiction Ends: 1/27/2021 Public Hearing: 12/28/2020

<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	122:28-1-01	Definitions.
New Rule	Original Filing	No	No	122:28-1-03	Reporting.
New Rule	Original Filing	No	No	122:28-1-04	Remedies.
New Rule	Original Filing	No	No	122:28-1-05	Fees.

Total Rules: 1 Original Filing Date: 11/23/2020 Date of Revised Filing: 11/30/2020 Jurisdiction Ends: 1/27/2021 Public Hearing: 12/28/2020

<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	122:28-1-02	Computer Data Center Equipment.

11 Ohio Department of Medicaid •

Total Rules: 1 Original Filing Date: 11/17/2020 Date of Refiled Filing: 12/28/2020 Jurisdiction Ends: 2/3/2021 Public Hearing: 12/18/2020

<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	5160-7-01	Podiatry services.

12 Ohio Department of Medicaid •

Total Rules: 1 Original Filing Date: 11/20/2020 Date of Refiled Filing: 12/30/2020 Jurisdiction Ends: 2/3/2021 Public Hearing: 12/21/2020

<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	5160-3-80	Health Care Isolation Centers.

13 Ohio Environmental Protection Agency •

Total Rules: 5 Original Filing Date: 9/1/2020 Date of Refiled Filing: 1/6/2021 Jurisdiction Ends: 2/5/2021 Public Hearing: 10/8/2020

<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	3745-4-02	Definitions.

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Amendment	Refiled Filing	No	No	3745-4-03	Qualified data collectors.
Amendment	Refiled Filing	No	No	3745-4-04	Level 1 data requirements and reporting.
Amendment	Refiled Filing	No	No	3745-4-05	Level 2 data requirements and reporting.
Amendment	Refiled Filing	No	No	3745-4-06	Level 3 data requirements and reporting.

14 State Board of Pharmacy • Impaired Licensees and Registrants

Total Rules: 1 Original Filing Date: 11/27/2019 Date of Refiled Filing: 1/13/2021 Jurisdiction Ends: 2/12/2021 Public Hearing: 8/27/2020

<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	4729:4-1-05	Probation.

Withdrawn

15 Opportunities for Ohioans with Disabilities •

Total Rules: 6 Original Filing Date: 11/23/2020 Date of Withdrawn Filing: 12/15/2020 Jurisdiction Ends: Public Hearing: 12/29/2020

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Withdrawn Filing	No	Yes	3304-2-54	Eligibility for services, assessment, and trial work experiences.
New Rule	Withdrawn Filing	No	No	3304-2-54	Eligibility determination.
Rescission	Withdrawn Filing	No	Yes	3304-2-56	Conditions for providing services; and the individualized plan for employment (IPE).
New Rule	Withdrawn Filing	No	No	3304-2-56	The individualized plan for employment.
Rescission	Withdrawn Filing	No	Yes	3304-2-59	Services.
New Rule	Withdrawn Filing	No	No	3304-2-59	Scope of services.

16 Opportunities for Ohioans with Disabilities •

Total Rules: 2 Original Filing Date: 11/24/2020 Date of Withdrawn Filing: 12/15/2020 Jurisdiction Ends: Public Hearing: 12/29/2020

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Withdrawn Filing	No	Yes	3304-2-58	Training.
New Rule	Withdrawn Filing	No	No	3304-2-58	Training.