

3701-18-02

**Designation of others to act for the director.**

If the director enters into an agreement under division (C) of section 3721.31 or section 3721.34 of the Revised Code which provides that a government entity will serve as the director's designee to approve training and competency evaluation programs or train-the-trainer programs under this chapter, or that a ~~national-standardized~~ testing service will serve as the director's designee to conduct the test under rule 3701-18-22 of the Administrative Code, all of the following shall apply:

- (A) All items required by this chapter to be filed with or submitted to the director or the director's designee shall be filed with or submitted to the designee and not to the director.
- (B) The designee shall perform all acts that ~~a provision of this chapter specifies may be performed by a designee;~~ consistent with section 3721.31 or 3721.34 of the Revised Code, as applicable, ~~specifies may be performed by a designee, if the applicable agreement provides for the designee to perform the act.~~ The director shall perform only those acts that this chapter does not specify may be performed by a designee, or that the agreement does not provide for the designee to perform.
- (C) ~~For purposes of~~ The designee conducting the state administered test under rule 3701-18-22 of the Administrative Code, ~~the designee shall not be a long-term care facility~~ national standardized testing service.
- (D) ~~Any person or government entity may obtain a description of the acts which currently are performed by a designee pursuant to an agreement under division (C) of section 3721.31 or section 3721.34 of the Revised Code and a copy of any relevant agreement from the director.~~

Effective:

Five Year Review (FYR) Dates: 02/27/2017

---

Certification

---

Date

Promulgated Under: 119.03  
Statutory Authority: 3721.28, 3721.29, 3721.30  
Rule Amplifies: 3721.30, 3721.31, 3721.34  
Prior Effective Dates: 8/31/1989 (Emer.), 12/1/89 (Emer.), 4/20/90 (Emer.),  
7/16/90, 9/5/93, 2/10/02