

3701-84-03

General provisions and prohibitions.

- (A) ~~Upon the effective date of these rules, no~~ No person or agency of state or local government shall operate a HCS that does not comply with the provisions of this chapter of the Administrative Code.
- (B) No person or agency of state or local government shall:
- (1) Interfere with an inspection or investigation of a HCS by the director or the director's designee. As used in this paragraph, "interfere" means to obstruct directly or indirectly any individual conducting an authorized inspection or investigation from carrying out ~~his or her~~ their prescribed duties. Interference includes, but is not limited to, harassment, intimidation, and refusal to permit the director or ~~his~~ the director's authorized representative upon presentation of official department identification, for the purpose of inspecting or investigating the operation of a HCS, to enter and inspect at any time the building or premises of a HCS, or to enter and inspect records that are kept concerning the operations of the HCS for information pertinent to the legitimate interests of the department.
 - (2) Materially misrepresent any information provided to the director pursuant to section 3702.16 of the Revised Code and Chapter 3701-84 of the Administrative Code.
- (C) Each provider of a HCS shall ensure that the building or structure where it is located is in compliance with all applicable federal, state and local laws and regulations including, but not limited to, building codes.
- (D) No provider of a HCS shall permit any person to smoke inside the portion of the structure where the HCS is located. The provider of a HCS shall post a notice in a conspicuous place within the HCS stating that smoking is prohibited inside the HCS.
- (E) Nothing in this chapter shall be construed as authorizing individuals to provide services outside their licensed scope of practice.

Effective:

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

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	3702.11, 3702.13
Rule Amplifies:	3702.12, 3702.13, 3702.14, 3702.141, 3702.15, 3702.16, 3702.18, 3702.19, 3702.20
Prior Effective Dates:	3/1/1997, 3/24/03, 6/1/07