3796:3-1-04   **Processor provisional license award.**

(A) A provisional license shall be issued to the qualified applicant receiving at least the minimum required score in each category and the highest total score overall as compared to the other applicants.

(B) In the event that two or more qualified applicants for a processor provisional license receive the same total score, and awarding a provisional license to all tied applicants would violate paragraph (A) of rule 3796:3-1-01 of the Administrative Code, the department shall select the applicant that received the highest score in the operations plan category. In the event that the applicants received the same score in the operations plan category, the department shall select the applicant that received the highest score in the security plan category. If a tie score still remains, the tied applicants will be interviewed by an unbiased panel selected by the department.

(C) If no qualified applicants are found during the process described in rule 3796:3-1-03 of the Administrative Code, a provisional licensee fails to fulfill the conditions in the application, or a certificate of operation is revoked, the department may, at the discretion of the director, announce another period to submit applications in accordance with rule 3796:3-1-02 of the Administrative Code. If the department announces another application period, a qualified applicant that submitted an application during the previous application period, but was not issued a provisional license, may re-submit an application and the application fee under rule 3796:5-1-01 of the Administrative Code shall be waived.

(D) No person shall hold or be granted more than one processor provisional license or processor certificate of operation at any time. No person shall hold a financial interest in or be an owner, partner, officer, director, shareholder, member, or other person who may significantly influence or control the activities of more than one processor. No corporation, partnership, limited liability partnership, limited liability company, or other entity or subsidiary thereof shall hold a financial interest in or be an owner, principal officer, partner, shareholder, member, or other person who may significantly influence or control the activities of more than one processor.

Effective: 09/08/2017

Five Year Review (FYR) Dates: 09/08/2022

CERTIFIED ELECTRONICALLY

Certification

08/14/2017

Date

Promulgated Under: 119.03
Statutory Authority: R.C. 3796.03
Rule Amplifies: R.C. 3796.03, R.C. 3796.09