



## Department of Aging

**John Kasich**, Governor  
**Bonnie Kantor-Burman**, Director

### NOTICE

H.B. No. 153's amendments to section 5111.89 of the Revised Code create the **state-funded component of the Assisted Living Program** and require ODA to adopt rules to implement the new program. ODA must now create Chapter 173-51 of the Administrative Code to implement the new program.

H.B. No. 153 authorizes ODA to file the proposed new chapter according to section 111.15, not section 119.03, of the Revised Code. Filing proposed new rules under section 111.15 of the Revised Code does not require ODA to conduct a public hearing. Nevertheless, ODA conducted a public hearing to obtain comments concerning ODA's proposed new chapter of the Administrative Code. ODA conducted a hearing on August 15, 2011.

Because ODA refiled rules 173-51-01 and 173-51-02 of the Administrative Code after the first public hearing, ODA will also offer a second hearing for the refiled rules on **September 15, 2011** at 50 W. Broad Street, 10th floor; Conference Room A; Columbus, OH 43215. The hearing will begin at **10:00AM** and will continue until all parties in attendance at that time have had an opportunity to provide comment.

ODA will consolidate this public hearing with another public hearing to reduce the state's administrative expenses and to reduce the general public's costs associated with traveling to Columbus to participate in public hearings.

Any person may direct written comments or requests for information concerning the proposed chapter to Tom Simmons, ODA's rules manager, by writing to [rules@age.state.oh.us](mailto:rules@age.state.oh.us).

#### INTRODUCTION

ODA is proposing to adopt new Chapter 173-51 of the Administrative Code. H.B. No. 153's amendments to section 5111.89 of the Revised Code take effect on September 29, 2011. The amendments will authorize ODA to create the state-funded component of the Assisted Living Program and require ODA to adopt rules to implement the new program. ODA must now create Chapter 173-51 of the Administrative Code to implement the new program. ODA proposes for the new chapter of rules to take effect on September 29, 2011, the same day that H.B. No. 153's amendments take effect.

To comply with Governor Kasich's Executive Order 2011-01K "Implementing Common Sense Business Regulation" and S.B. No. 2 (129<sup>th</sup> G.A.), ODA is proposing to adopt the new rules after interested parties and the general public have had opportunities to provide input:

1. Interested parties and the general public had the opportunity to testify to the finance committees of the Ohio House of Representatives and the Ohio Senate as those legislative bodies considered public testimony on the amendments that H.B. No. 153 proposed to make to section 5111.89 of the Administrative Code.

50 W. Broad Street / 9th Floor  
Columbus, OH 43215-3363 U.S.A.  
[www.aging.ohio.gov](http://www.aging.ohio.gov)

614-466-5500 (Main)  
614-466-5741 (Fax)  
DIAL 711 (TTY)

2. From June 30, 2011 to July 11, 2011, ODA posted the proposed amended rules on <http://aging.ohio.gov/information.rules/proposed.aspx> for a public-comment period.