

NOTICE

Notice is hereby given that the Ohio Department of Aging will conduct a public hearing in accordance with Chapter 119. of the Ohio Revised Code to obtain comments concerning the Department's proposed adoption of numerous administrative rules governing the development and administration of the Ohio Long-Term Care Consumer Guide.

The following rules are being proposed for adoption:

- 173-45-01 (Introduction and Definitions.) This rule serves as an introduction to the rules being proposed by the Department to govern the development and administration of the Long-Term Care Consumer Guide authorized under section 173.46 of the Revised Code, and defines numerous terms used throughout Chapter 173-45 of the Administrative Code.
- 173-45-02 (Consumer Guide Advisory Council.) This rule requires the Department of Aging to convene the Long-Term Care Consumer Guide Advisory Council; establishes the Council's duties; requires meetings of the Council to be open to the public, except as otherwise permitted under section 121.22 of the Revised Code; describes how the Department will make notice of meetings available to the public; requires the chairperson of the Council to appoint someone to take the minutes of every meeting and to prepare, file and maintain those minutes; and requires the minutes of every meeting to be open to public inspection during normal business hours.
- 173-45-03 (Consumer Guide Content.) This rule lists the information required to be included in the Long-Term Consumer Guide.
- 173-45-04 (Facility Search Queries.) This rule requires the Department of Aging to develop the Long-Term Care Consumer Guide to allow users to tailor their search for nursing and/or residential care facilities in Ohio using specific identifiers listed in the rule (e.g., geographic location, sources of payment accepted, services provided, etc.)
- 173-45-05 (Display of Comparative Information on Facilities Following the Execution of a Search Query.) This rule requires the response to any search of facilities to return a list of all facilities meeting the criteria specified in the search, and identifies the specific type of information that must be provided for each facility identified in response to a search.
- 173-45-06 (Facility page.) This rule requires the Department of Aging to include specific comparative information for each facility in Ohio, if it is available to the Department.
- 173-45-06.1 (Information on services provided by facilities.) This rule requires the Department of Aging to include a number of checklists describing certain specific

services provided by, or in affiliation with, each facility identified in response to any search of the Ohio Long-Term Care Consumer Guide; mandates the content of certain lists; and requires the Department to obtain certain information from the facilities listed in the Guide and to allow facilities to supplement the information provided in order to ensure an accurate description of the services provided through special care units within the facilities.

- 173-45-06.2 (Facility Staffing Information.) This rule requires the Department of Aging to include certain facility-specific staffing information specified in the rule for each facility that the website identifies in response to searches by consumers.
- 173-45-07 (Quality Measures for Nursing Facilities.) Requires the Department of Aging to incorporate into the Consumer Guide each facility's scores on the quality measures calculated by the U.S. Centers for Medicare and Medicaid Services, and dictates how it should be done.
- 173-45-08 (Regulatory Survey Data.) This rule requires the Department of Aging to incorporate into the Consumer Guide certain specified data derived from the Ohio Department of Health's most recent survey of each facility; requires the Department to include a link in the guide that will allow users to view the current survey report and any plan of correction filed by the facility, if such documents have been made available to the Department; requires the Department to update the information weekly, to the extent the information is available to the Department; requires a specific disclaimer to appear with all information derived from facility surveys; requires the Department to retain a certain amount of information on its website for each facility; require the Department to surveys; requires the Department to retain facility survey data for four years; requires the Department to display facility survey data in peer groups with peer group and statewide averages.
- 173-45-09 (Facility Fees.) This rule establishes the consumer guide fee that is charged for nursing and residential care facilities in Ohio; requires the Department of Aging to circulate billing statements for the fees once every year, and specifies what information must appear on each statement; requires facilities to make full payment within thirty days of receiving a statement; provides that the Department will certify to the Attorney General the amount of any payment not received by the Department within forty-five days after the payment becomes due.

These rules are being proposed for adoption in an effort to implement sections 173.45 to 173.49 of the Revised Code, which require the Department to develop and publish a guide to long-term care facilities for use by individuals considering long-term care facility admission and their families, friends and advisors.

The hearing to which this notice applies will be conducted on **Wednesday, July 26, 2006** in the 9th Floor Conference Room A of the Department's offices at 50 W. Broad Street, 9th floor, Columbus, Ohio, 43215. The hearing will begin at 10:00 a.m. and will continue until all parties

in attendance at that time have had an opportunity to provide comment. Written comments to the proposed actions may be mailed or faxed to the Department (FAX: 614-466-5741) on or before the date of the hearing. All requests for copies of the proposed rule revision and adoption, as well as any written comments, should be directed to the attention of Mike Laubert (614-466-1055, or Mlaubert@age.state.oh.us) at the Ohio Department of Aging.