



John Kasich, Governor
Beverley L. Laubert, Interim Director

PUBLIC HEARING NOTICE

ODA PROVIDER CERTIFICATION: PERSONAL CARE

ODA will conduct a public hearing at the following place and time:

35 E. Chestnut St., Basement
Training Room A
Columbus, OH 43215

Friday, March 9, 2017
1:30PM

OAC173-39-02.11 regulates ODA-certified providers when they provide personal care to individuals enrolled in a program requiring ODA certification.

After reviewing the rule top-to-bottom,¹ ODA proposes to rescind the current rule and adopt a new rule in its place to comply with the LSC's 50% guideline.² Throughout the past year, ODA has been updating rules in Chapter 173-39, including updating rules for the following similar services: homemaker, independent living assistance (ILA), and enhanced community living (ECL).³ When doing so, ODA has been giving those rules in a more standard language and format (*i.e.*, the order of topics in the rule). ODA proposes to continue making progress in this area by updating this rule with the same standard language and format.

ODA anticipates a 3-fold effect from using standard language and format:

1. Standardization simplifies compliance for personal care providers who also provide 1 or more of the other 3 services.
2. Standardization simplifies compliance for personal care providers who also provide personal care paid, in whole or in part, by Older Americans Act funds, because the standard terminology and format are similar to the terminology and format in 173-3-06.5.
3. Standardization eliminates regulatory hurdles ODA-certified personal care providers would face if they consider becoming certified to provide providing more than 1 service to individuals in the PASSPORT Program.

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¹ ORC§106.03 requires each state agency to review each rule before the rule's review deadlines, which JCARR can extend.

² OHIO LEGISLATIVE SERVICE COMMISSION, *Rule Drafting Manual*, 4th ed., (May, 2006) §4.3.1.

³ 173-39-02.8, 173-39-02.15, and 173-39-02.20, respectively.

For more details, please review the business impact analysis.

Any person may participate in the public hearing on these rules. To submit written testimony to ODA regarding the rule projects in lieu of presenting written testimony in person, please email the written testimony to ODA's policy development manager, Tom Simmons, at tsimmons@age.ohio.gov before Friday, March 9, 2017.

To reduce the need to travel to Columbus, ODA may schedule other public hearings for the same time and place so the public may comment at one hearing on multiple rule packages.

Participants may find area parking at street meters and area parking garages. The parking meters on Chestnut St. accept debit and credit cards. The [Chestnut Street Garage](#) at 44 E. Chestnut St. is across the street from 35 E. Chestnut St.