

NOTICE OF PUBLIC HEARING

DATE: Thursday, April 7, 2011
TIME: 3:00 P.M.
PLACE: Basement Training Room A
OHIO DEPARTMENT OF HEALTH
35 E. Chestnut Street
COLUMBUS, OHIO 43215

In accordance with Chapter 119 of the Revised Code (R.C.) and by authority of R.C. 3721.26, the Director of the Ohio Department of Health (ODH), or his designee, will conduct a public hearing at the time and place listed above, to consider the proposal to amend O.A.C. rules 3701-64-01, 3701-64-04, and 3701-64-05. These rules pertaining to investigations of resident abuse, neglect, and misappropriation in long term care facilities have been reviewed to satisfy five year review requirements.

More significant amendments 1) reflect statutory changes that allow a nurse aide with a finding of neglect to petition the Director of Health to remove the finding and expunge the related records after one year from the date of the finding; 2) remove the word "working" in paragraph (I) of rule 3701-4-04 when referring to the number of days a hearing officer has to deliver a written report to the Director; and 3) add a definition for the word "Day" in rule 3701-64-01.

At the hearing, people affected by the proposed actions may appear and be heard in person, by an attorney or both; may present their positions, arguments, or contentions orally or in writing; may offer witnesses; and may present evidence tending to show that the proposed rules, if adopted or effectuated, will be unreasonable or unlawful. Persons intending to testify are encouraged to pre-register by writing to the Office of the General Counsel - Rules, Ohio Department of Health, 246 North High Street, Columbus, Ohio 43215, by telephoning (614) 466-4882, or by e-mail to odhrules@odh.ohio.gov.

Copies of the proposed rules are available on the Register of Ohio website. A link to this site may be found at <http://www.odh.ohio.gov/rules/pending.aspx> or from the Office of the General Counsel, Ohio Department of Health. Please FAX [(614) 728-7813], mail, or e-mail any written comments by 10:00 a.m. on April 7, 2011.

March 1, 2011