

**NOTICE OF PUBLIC HEARING**

DATE: Tuesday, November 22, 2011  
TIME: 3:00 P.M.  
PLACE: Basement Conference Room A/B  
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. 3721.11, 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 Ohio Administrative Code (O.A.C.) rule 3701-61-03. This rule addresses the resident notice and hearing request requirements for nursing homes and residential care facilities (a "home") seeking to transfer or discharge a resident.

The proposed amendments reflect provisions in the recently enacted Ohio budget bill, 129 Am. Sub. H.B.153. The amendments 1) allow a home to provide a thirty-day notice of transfer to a resident to a proposed location without that location having already accepted the resident; and 2) require the thirty-day notice to inform the resident and the resident's sponsor that they may choose another location to which to relocate the resident.

At the hearing, people affected by the proposed action 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 rule, if adopted or effectuated, will be unreasonable or unlawful.

To aid in getting visitors through building security, both persons intending to testify at the hearing and those simply intending to observe are encouraged to pre-register by writing 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 sending an e-mail to [odhrules@odh.ohio.gov](mailto:odhrules@odh.ohio.gov).

Copies of the proposed rule 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) 644-0085], mail, or e-mail any written comments by 10:00 a.m. on November 22, 2011.

October 20, 2011