

NOTICE OF PUBLIC HEARING

The Public Health Council (Council) of the Ohio Department of Health has proposed to adopt new rule 3701-17-07.3; amend existing rules 3701-42-01, 3701-42-02, 3701-42-04, 3701-42-05, 3701-42-07 to 3701-01-42-09; adopt new rules 3701-42-03 and 3701-42-06; rescind existing rules 3701-42-03 and 3701-42-06; adopt new rules 3701-59-01 and 3701-59-05; and rescind existing rules 3701-59-01, 3701-59-02, and 3701-59-05 of the Ohio Administrative Code.

Proposed new rule 3701-17-07.3 sets forth criteria for an individual to be placed and to remain on the State Nurse Aide Registry. This action was taken under authority of Revised Code (R.C.) 3721.28. The rule is being proposed to clarify the type and amount of work experience that is required for an individual to remain on the Department's Nurse Aide Registry.

Proposed amended existing rules 3701-42-01, 3701-42-02, 3701-42-04, 3701-42-05, 3701-42-07 to 3701-01-42-09; proposed new rules 3701-42-03 and 3701-42-06; and rescinded existing rules 3701-42-03 and 3701-42-06 pertain to the Women, Infants, and Children Supplemental Food Program (WIC) vendor application, contracting, monitoring, compliance, and payment processes. This action is taken under authority of R.C. section 3701.132. Rules 3701-42-02 and 3701-42-05 are submitted for change pursuant to the five-year rule review requirement under R.C. section 119.032. The other rules are being revised to unify the five-year rule review period.

Proposed new rules 3701-59-01 and 3701-59-05; and rescinded existing rules 3701-59-01, 3701-59-02, and 3701-59-05 of the Ohio Administrative Code prescribe hospital registration requirements. This action is taken under authority of R.C. section 3701.07. The purpose of the proposed new rules and rescissions is to streamline and update hospital registration and classification of beds and to eliminate reporting of information no longer needed.

In accordance with Chapter 119 of the Revised Code, the Council will conduct public hearings on the proposed actions on Thursday, May 6, 2004 beginning at 10:00 a.m. The hearings will be conducted in the 8th floor conference room, Ohio Department of Health, 246 North High Street, Columbus, Ohio.

At the hearings, persons affected by the proposed actions may appear and be heard in person, by their 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 Kaye Norton, Office of the General Counsel, Ohio Department of Health, 246 North High Street, P.O. Box 118, Columbus, Ohio 43216-0118, or by telephoning at (614) 466-4882.

Copies of the proposed rules are available from Ms. Norton or on the Department's web site at www.odh.state.oh.us. Written comments also may be submitted to Ms. Norton at the above address or FAX to (614) 728-7813, on or before May 6, 2004.

March 11, 2004