

NOTICE OF PUBLIC RULES HEARING

DATE: Tuesday, October 7, 2014
TIME: 3:00 p.m.
PLACE: OHIO DEPARTMENT OF HEALTH
246 N. High Street
Columbus, Ohio 43215
ROOM: 8th Floor Large Conference Room

In accordance with Chapter 119 of the Revised Code (R.C.), the Director (Director) of the Ohio Department of Health (ODH), or his designee, shall conduct a public rules hearing at the date, time, and place listed above to consider the following proposed rules:

O.A.C. Chapter 3701-17 – Nursing Homes:

By authority of O.A.C. 3721.04, the Director proposes to amend O.A.C. rules 3701-17-07, 3701-17-10, 3701-17-11, and 3701-17-22. These rules pertain to licensure of nursing homes. Amendments are proposed due to 1) ongoing concern from the nursing home industry regarding the availability of tuberculin skin tests; and 2) statutory changes (House Bill 59) that require nursing homes to participate in advanced care planning with residents and to eliminate overhead paging except for emergency situations.

O.A.C. Chapter 3701-17 – Residential Care Facilities:

By authority of R.C. 3701.04, the Director is proposing to amend O.A.C. rules 3701-17-55, 3701-17-58, and 3701-17-62. These rules pertain to residential care facilities. Changes are proposed as a result of meetings with the Ohio Assisted Living Association (OALA) regarding a tuberculin skin test shortage. Amendments require tuberculosis testing in accordance with the facility's assessment under Center for Disease Control guidelines.

O.A.C. Chapter 3701-84 – Health Care Services Standards:

By authority of R.C. 3702.11 and 3702.13, the Director is proposing to amend O.A.C. rule 3701-84-27, pertaining to patient selection and utilization criteria for bone marrow transplantation services. The proposed change to the appendix to rule 3701-84-27 will allow stem cell transplantation from haploidentical related donors. This amendment is based upon medical evidence and current practices within the bone marrow transplantation industry, and is supported by the Ohio Hematopoietic Stem Cell Transplant Consortium.

Previously Announced:

At the same hearing, ODH will also consider amendments to Asbestos Hazard Abatement rules 3701-34-01 and 3701-34-03 to 3701-34-11. A public notice was already published and posted on the Register of Ohio site concerning these rules.

Hearing and Comment Procedure:

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. 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 to the Office of the General Counsel, Ohio Department of Health, 246 North High Street, Columbus, Ohio 43215, by phoning (614) 466-4882, or by sending an e-mail to odhrules@odh.ohio.gov. Copies of the proposed rules are available on the Register of Ohio website (<http://www.registerofohio.state.oh.us/jsps/publicdisplayrules/searchRuleNumber.js>) or from the Office of the General Counsel, Ohio Department of Health. Please FAX [(614) 564-2509], mail, or e-mail any written comments by 10:00 a.m. June 16, 2014.

September 5, 2014