

## NOTICE OF PUBLIC RULES HEARING

DATE: Friday, December 9, 2016  
TIME: 11:00 a.m.  
Ohio Department of Health  
35 E. Chestnut Street  
Columbus, Ohio 43215  
ROOM: Basement Training Room A

In accordance with Chapter 119. of the Revised Code (R.C.), the Director of the Department of Health is proposing changes to the following Ohio Administrative Code (O.A.C.) rules:

**O.A.C. Rule 3701-12-23 – Certificate of Need: Long-term care facilities and beds and bed review criteria; state and county bed need.**

By authority of R.C. 3702.593, the Director proposes to amend Certificate of Need (C.O.N.) rule 3701-12-23. This rule establishes the long-term care facilities and beds review criteria and the state and county bed need calculation formula. The proposed amendment removes a less than fifty bed restriction from the CON consideration and from the comparative review criteria for the awarding of points.

**Previously Announced Rules on December 9, 2016 Agenda:**

O.A.C. Rule 3701-42-08 – Abuse of the WIC program; sanctions.  
O.A.C. Rules 3701:1-52-07, -16, -21, -22, and -29 – Radioactive Material Standards - Irradiators

**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 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 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](mailto:odhrules@odh.ohio.gov). Copies of the proposed rules will be available on the Register of Ohio website: <http://www.registerofohio.state.oh.us/jsp/publicdisplayrules/searchRuleNumber.jsp> approximately a half day after the rules are filed, or from the Office of the General Counsel, Ohio Department of Health (address listed above). Please FAX [(614) 564-2509], mail, or e-mail any written comments by 4:30 p.m. on December 8, 2016.

Revised 10/31/2016