

NOTICE OF PUBLIC RULES HEARING

DATE: Friday, April 4, 2019
TIME: 11:00 a.m.
LOCATION: Ohio Department of Health
35 E. Chestnut Street
Columbus, Ohio 43215
ROOM: ODH Basement Training Room A

In accordance with *Chapter 119* of the Revised Code (R.C.), the Director of the Ohio Department of Health announces a Public Hearing at the date and time listed above to hear comments regarding the following action:

Ohio Revised Code (O.A.C.) Chapter 3701-62-01 and 3701-62-02 – Do Not Resuscitate.

Chapter 3701-62 Administrative Code rules establish the Do Not Resuscitate (“DNR”) Order and Protocol in Ohio pursuant to section 2133.25 of the Ohio Revised Code. The DNR Order and Protocol establish and provide a standardized method of procedure for the withholding of CPR by physicians, emergency medical services personnel, and health care facilities. The rules set forth in Chapter 3701-62 include, but are not limited to, the DNR Order form, Protocol, liability protections, and prohibitions.

The following amendments are being proposed:

3701-62-01: The rule sets forth the definitions used throughout the Chapter, such as “CPR,” “do-not-resuscitate order,” “do-not-resuscitate protocol,” and “cardiac arrest”. The rule is being revised to include a new definition for “authorized healthcare provider,” include the definition of “comfort care” from section 2133.01 of the Revised Code, to clarify that for the purposes of this Chapter, “declaration” means a “living will declaration,” and to include the new definition for “advanced practice nurse” consistent with section 4723.42 of the Revised Code.

3701-62-02: The rule sets forth the authority and immunities pertaining to DNRs for APRNs and PAs. The rule is being revised to change the existing language specifying Certified Nurse Practitioners and Clinical Nurse Specialists to refer to APRNs consistent with section 4723.42 of the Revised Code. This change incorporates both those specializations as well as Certified Registered Nurse Midwives and Certified Registered Nurse Anesthetists.

Hearing and Contact Information:

At the hearing, people affected by the proposed action may appear and be heard in person or accompanied by an attorney. They may present their positions, arguments, or contentions orally or in writing; may offer witnesses; and may present evidence showing that the proposed rule, if adopted or effectuated, will be unreasonable or unlawful.

To aid in getting visitors through building security, any persons intending to testify at the hearing or planning to observe are encouraged to pre-register by writing to the Office of the General Counsel, Ohio Department of Health, 246 North High Street, 7th Floor, Columbus, Ohio 43215, or by phone to (614) 466-4882, or send an e-mail to odhrules@odh.ohio.gov.

Copies of the proposed rule will be available on the Register of Ohio website:

<http://www.registerofohio.state.oh.us/jsps/publicdisplayrules/searchRuleNumber.jsp> approximately a half day after the rule is filed, or from the Office of the General Counsel, Ohio Department of Health (<https://www.odh.ohio.gov/rules/drafts/drafts.aspx>).

Please e-mail any written comments to ODHrules@odh.ohio.gov by 5:00 p.m. on April 2, 2019.

02/27/2019