

NOTICE OF PUBLIC RULES HEARING

DATE: Friday, April 16, 2020
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 3701-45 – Ohio Hearing Aid Assistance Program.

The proposed rules are under review as required by Ohio Revised Code 119, these rules concern Temp Law Section 291.20 AM Sub HB 166 GA – 133 that was renewed with this budget period which provides assistance to eligible families with children up to twenty-one years of age with hearing impairments to purchase hearing aids and assistive listening devices.

Information regarding rule package proposed:

This Ohio Department of Health (Department) rule package consists of four amended rules proposed by the Ohio Department of Health (ODH). This rule package was submitted to the CSI Office on September 23, 2019 and the public comment period was held open through October 23, 2019.

Ohio Administrative Code (OAC) Chapter 3701-45 covers the Ohio Hearing Aid Assistance Program (OHAAP), which aids children with hearing impairments. Proposed rules include definitions, requirements for the administration of the program, eligibility requirements for the program, and eligibility requirements for audiologists and hearing aid dealers and fitter's involvement in the program. Amendments to the rules include updates to references, expanding the scope of audiology and hearing services to include assistive listening device selection and assistive listening device adjustments, updates to the eligibility parameters, removal of co-payments and addition of a sliding fee scale.

Ohio Revised Code (O.A.C.) Chapter 3701-12 – Certificate of Need

The proposed rules are under review as required by Ohio Revised Code 3702, these rules designate The Ohio Department of Health as the radiation control agency, as well as discuss the requirements, procedures and fees dealing with types of radiation-generating equipment and the registration by its handler. The legislation requires the Ohio Department of Health to adopt rules establishing these standards and procedures.

Information regarding rule package proposed:

This rule package consists of three amended rules, one rescinded rule, and one new rule proposed by the Ohio Department of Health (ODH). This rule package was submitted to the CSI Office on December 10, 2019, and the public comment period was held open through January 10, 2019.

The rules contained in this package establish the reviewability, application, approval and monitoring requirements for the Certificate of Need ("CON") program. The CON program ensures the public access to quality long-term care services by requiring review and approval of activities involving the location and utilization of long-term care beds and services. Revisions have been made to the rules to incorporate recent changes to Chapter 3702. of the Ohio Revised Code that include, but are not limited to, requiring the Director of Health to issue a determination within 180 days of declaring an

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application complete, eliminates the right of an affected person to request an appeal and replaces it with the right to receive an administrative review, and reduces the number of days a person has to request a reviewability ruling from 30 to 14. The revisions set forth the requirements for both applicants and the Ohio Department of Health.

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 rules will be available on the Register of Ohio website: <http://www.registerofohio.state.oh.us/rules/search> approximately one day after the rule is filed, or from the Office of the General Counsel, Ohio Department of Health (<https://odh.ohio.gov/wps/portal/gov/odh/about-us/offices-bureaus-and-departments/Office-of-General-Counsel/laws-and-rules/>).

Please e-mail any written comments to ODHRules@odh.ohio.gov by 5:00 p.m. on April 14, 2020.