

## NOTICE OF PUBLIC HEARING

In accordance with Chapter 119 of the Revised Code, the Director of the Ohio Department of Health (Director), or his designee, will conduct a public hearing on **Monday, April 9, 2007 at 10:00 a.m.** in the **6th Floor Conference Room of the Ohio Department of Health, 246 North High Street, Columbus, Ohio.**

The hearing concerns the proposal of the Director to amend existing rules 3701-84-01 to 3701-84-04, 3701-84-06, 3701-84-08, 3701-84-12, 3701-84-16, 3701-84-17, 3701-84-19 to 3701-84-21, 3701-84-24, 3701-84-26, 3701-84-27, 3701-84-72, 3701-84-75, 3701-84-76, 3701-84-77, 3701-84-79, 3701-84-81, 3701-84-83, and 3701-84-84 of the Ohio Administrative Code (O.A.C.); and to rescind rules 3701-84-15, 3701-84-22, 3701-84-23, 3701-84-28, 3701-84-29, 3701-84-35, 3701-84-41, 3701-84-60, 3701-84-66, 3701-84-74, 3701-84-80, and 3701-84-86. These rules pertain to health care services standards; they have been reviewed pursuant to Chapter 119.032 of the Revised Code (five-year review).

Proposed amendments delete data reporting requirements from rule 3701-84-72 and rescind the data reporting rules mentioned above, pursuant to H.B. 197 of the 126<sup>th</sup> General Assembly. In addition, the proposed amendments: 1) define the terms "interference" as used in relation to the inspection of an HCS, define the term "lactation consultant," and modify the definition of the term "outborn infants"; 2) reduce the time period for notifying the Director of an intent to initiate or reactivate an HCS; 3) require HCS providers to develop and implement an ongoing process for ensuring the competence of staff members that includes a periodic assessment of skill levels and performance evaluations at least every thirty-six (as opposed to twelve) months; 4) require solid organ transplant services to provide sufficient staff to monitor patients after transplants; 5) require heart-lung transplantation services to have active heart transplant services as well as active lung transplant services; 6) require solid organ transplant service providers to participate in a prospective, statewide review process for each patient prior to listing for transplant; and 7) correct minor grammatical and citation errors. Finally, the proposed amendments rescind the old versions of the "Patient Selection Criteria" for solid organ transplantation, the "Screening Criteria for Patients Presenting with Significant Histories of Alcohol or Substance Dependency," and Patient Selection Criteria" for bone marrow transplantation and enact new versions that incorporate current professional standards.

At the hearing, persons affected by the proposed action 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 N. High Street, Columbus, Ohio 43215, by telephoning (614) 466-4882, and by e-mail at [Kaye.norton@odh.ohio.gov](mailto:Kaye.norton@odh.ohio.gov).

Copies of the proposed rules are available on the Register of Ohio website, which is linked at [www.odh.ohio.gov/rules/pending.aspx](http://www.odh.ohio.gov/rules/pending.aspx) or from Ms. Norton at the above-mentioned address. Written comments also may be submitted to Ms. Norton by mail or FAX (614-728-7813) on or before 9:00 a.m. April 9, 2007.

February 28, 2007