

NOTICE OF PUBLIC HEARING

In accordance with Chapter 119 of the Revised Code and by authority of Revised Code 3721.26, the Director of the Ohio Department of Health (Director), or his designee, will conduct a public hearing on **Tuesday, June 19, 2007 at 10:00 a.m.** in the **Basement 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 **rule 3701-64-02 of the Ohio Administrative Code (O.A.C.)** pertaining to the authority of the director of health to investigate allegations of abuse, neglect, and misappropriation within long-term care facilities and residential care facilities, and the procedures that must be followed in such investigations.

Amendments are proposed to achieve consistency with current Ohio Department of Health (ODH) procedures for abuse, neglect, and misappropriation reporting by nursing homes and residential care facilities. Specifically, the amendments clarify that: 1) oral and written allegations of abuse, neglect, and misappropriation should be made to the Department of Quality Assurance (DQA) at ODH, instead of the Bureau of Diagnostic Safety and Personnel Certification (BDSPC); and 2) when written notice of alleged abuse, neglect, or misappropriation cannot be delivered to the accused, the Director of Health must publish a newspaper notice that refers the accused to DQA (rather than BDSPC) for additional information.

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.

Copies of the proposed rules are available on the Register of Ohio website, which is linked at 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. June 19, 2007.

May 10, 2007