

NOTICE OF PUBLIC HEARING

The Public Health Council (Council) of the Ohio Department of Health has proposed to amend existing rule 3701-3-02; to adopt new rules 3701-7-01 to 3701-7-13 and rescind all existing rules in Chapter 3701-7; to rescind all existing rules in Chapter 3701-45; and to adopt new rule Chapter 3701:1-56 and amend existing rule 3701-39-02.1 of the Ohio Administrative Code (O.A.C.).

Proposed amended existing O.A.C. 3701-3-02 pertains to the reporting of communicable diseases. This action was taken under the authority of sections 3701.13, 3701.24, 3701.34 and 3707.06 of the Revised Code (R.C.). The rule is being proposed to delete vancomycin resistant enterococcus from the list of reportable infectious diseases.

Proposed new O.A.C. 3701-7-01 to 3701-7-13 and rescinded existing O.A.C. 3701-7-01 to 3701-7-35 pertain to maternity licensure. This action was taken under the authority of R.C. 3701.34 and 3711.01 to 3711.13. The new and rescinded rules are being proposed pursuant to R.C. 119.032, five-year rule review.

Proposed rescinded existing O.A.C. 3701-45-01 to 3701-45-10 pertain to testing of newborn infants for genetic, endocrine, or metabolic disorders. This action was taken under the authority of R.C. 3701.501. The rules are being proposed pursuant to Senate Bill 121/124th General Assembly that shifts rule-making responsibility for the newborn screening program from the Public Health Council to the Director of Health.

Proposed new O.A.C. 3701:1-56-01 to 3701:1-56-10 and amended O.A.C. 3701-39-02.1 establish standards for handling radioactive materials. This action was taken under authority of R.C. 3748.02 and 3748.04. The rules are being proposed to codify requirements for the use of special nuclear material by Ohio radioactive material licensees in the Ohio Administrative Code. Existing O.A.C. 3701-39-02.1 is being proposed for amendment to delete references to 10 Code of Federal Regulations 70 with the enactment of Chapter 3701:1-56.

In accordance with Chapter 119 of the Revised Code, the Council will conduct public hearings on the proposed actions on Thursday, February 20, 2003, beginning at 10:00 a.m. The hearings will be conducted in the 8th floor conference room, Ohio Department of Health, 246 North High Street, Columbus, Ohio.

At the hearings, persons affected by the proposed actions 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 preregister by writing Jacqueline Vermillion, Office of the General Counsel, Ohio Department of Health, P.O. Box 118, Columbus, Ohio 43266-0118, or by telephoning (614) 466-4882.

Copies of the proposed rules are available from Ms. Vermillion or on the Department's web site at www.odh.state.oh.us. Written comments also may be submitted to Ms. Vermillion at the above address or FAX to (614) 728-7813, on or before February 20, 2003.

1-13-03

/S/

Date

Jodi A. Govern, Secretary
Public Health Council