

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: July 3, 2007
TIME: 10:00 a.m.
LOCATION: Room 3110 B, Rhodes State Office Tower
30 East Broad Street, Columbus, Ohio 43215-3414

Pursuant to section 5111.85 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the adoption and rescission of the rules as identified below and of a public hearing thereon.

Rule 5101:3-12-12, entitled Consumer Options Under the Ohio Home Care Program, is being proposed for rescission to renumber it and clarify policy. It is being replaced by rule 5101:3-45-03 of the Administrative Code. This rule sets forth policy regarding consumer options available under ODJFS-administered waiver programs.

Rule 5101:3-45-03 entitled ODJFS-Administered Waiver Program: Consumer Choice and Control, is being proposed for adoption to replace rule 5101:3-12-12 of the Administrative Code and to clarify policy. This rule sets forth the extent to which the consumer has choice and control over the arrangement/direction of his/her home and community-based waiver services, and the selection and control over the direction of the providers of those services. Differences between this new rule and the rescinded rule include the following: the consumer and/or authorized representative shall decide who, besides themselves, shall participate in the development of the all services plan and all plans of care, shall communicate to providers personal preferences about duties, tasks and procedures to be performed, shall work with the case management agency (CMA) and providers to identify and secure additional training to meet their specific needs, and shall participate in the recruitment, selection and dismissal of providers. The rule also sets forth case management, reporting and documentation requirements to be met by the CMA to assure the consumer's health and welfare while exercising their right to choice and control.

A copy of the proposed rules is available, without charge, to any person affected by the rules at the address listed below. The rules are also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rules will be held at the date, time, and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rules or comments on the rules should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at rules@odjfs.state.oh.us.