

## Ohio Legal Rights Service

### *Guide to Public Participation in the Rule-Making Process*

#### About OLRs

OLRS is created by State law to protect and advocate for people with disabilities in Ohio, and is also the federally mandated protection and advocacy system for Ohio. OLRs is governed by a seven member Commission, with members appointed by the Chief Justice of the Supreme Court, the President of the Senate, and the Speaker of the House.

OLRS provides legal based advocacy services to a broad range of people with disabilities covering an array of issues and complaints. Examples include: children eligible for special education so they can succeed in school, people of all ages placed in nursing homes who want to and can live in community homes, employees who want to keep their job or return to work, people denied housing due to discrimination based on disability, children and adults who are abused, neglected, or subjected to other violations of their legal rights. Information about OLRs and its services is on the web at [www.olrs.ohio.gov](http://www.olrs.ohio.gov) .

#### OLRS Mission

To protect and advocate, in partnership with people with disabilities, for their human, civil and legal rights.

#### Purpose of this Brochure

To explain OLRs' rule-making process and how people can find out about and provide comments on the agency's rules.

## **The Reason for OLRs Rules, and Why They Can Change**

Like all state agencies, OLRs has rules (the Ohio Administrative Code or O.A.C.) that describe how the agency conducts its business in order to meet its mission. These rules must agree with State laws governing OLRs. OLRs' guiding laws are found in the Ohio Revised Code (O.R.C.) Sections 5123.60, and 5123.601 through 5123.605. State rules concerning OLRs are found at O.A.C. Chapter 5124.

OLRS can adopt, amend (change) and rescind (withdraw) rules in order to carry out the duties required of the agency by state law.

## **The Process for Making OLRs Rules**

O.R.C. Sections 111.15 and 119.03 both set out procedures for making rules. OLRs has both 111 and 119 rules:

- “111 rules” do not generally require a public hearing and include internal management rules.
- when “119 rules” are written, changed or withdrawn, the agency must give public notice and have a public hearing. Public notice of rule filings are provided by the Register of Ohio on its web site, [www.registerofohio.state.oh.us](http://www.registerofohio.state.oh.us) .

Proposed rules are filed with the Joint Committee on Agency Rule Review (JCARR), the Legislative Service Commission (LSC), and the Secretary of State. JCARR consists of five State Representatives and five State Senators. The primary function of JCARR is to review proposed new, amended, and rescinded rules. JCARR posts rules that have been filed with it on its web site, [www.jcarr.state.oh.us](http://www.jcarr.state.oh.us) .

## **The Public Can Participate in OLRs Rule Making**

**OLRS encourages comments on proposed rules,  
especially from the people this agency serves -  
individuals with disabilities.**

**Read how next.**

## Participating in OLRs Rule Making

For 119 rules that require public notice and a public hearing:

- people can provide comments anytime during the rule-making and filing process.
- the public hearing will be scheduled 31 to 40 days after the rules are filed.
- OLRs will provide at least 30 days notice before the date of the hearing. The notice will be posted on the OLRs web site home page, the Register of Ohio's web site, and provided to people with disabilities and other interested parties through other media.

Public hearings are opportunities for anyone affected by proposed rules to provide comments. Comments can be spoken, written, or provided in other ways. OLRs will provide, upon request, accommodations needed by individuals with disabilities for equal participation. Comments received before public hearings will also be considered testimony. OLRs will consider all comments and make a decision whether to make changes to its proposed rule. If changes are made, the rule will be revised or refiled with JCARR, LSC and the Secretary of State. OLRs is not required to hold another public hearing when rules are refiled.

JCARR will then meet to review the rules. If JCARR finds that the rules are properly filed, OLRs can take final action and the rules will go into effect.

### For More Information, Contact OLRs

Write or visit:

Ohio Legal Rights Service  
50 West Broad Street, Suite 1400  
Columbus, Ohio 43215-5923

Phone: (614) 466-7264 or  
(800) 282-9181 (Toll free in Ohio only)

TTY: (614) 728-2553 or  
(800) 858-3542 (Toll free in Ohio only)

Fax: (614) 644-1888

Web: [www.olrs.ohio.gov](http://www.olrs.ohio.gov)

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