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Hearing Date: 9/16/2020

Today's Date: 10/13/2020

Agency: Ohio Attorney General

Rule Number(s): 109:5-1-01 and 109:5-1-03

If no comments at the hearing, please check the box. ☐

List organizations or individuals giving or submitting testimony before, during or after the public hearing and indicate the rule number(s) in question.

1. Jean Thompson, Ohio Assisted Living Association, 109:5-1-01
2. Rachel Winder, Benesch Law, on behalf of National Background Check, Inc. (dba FastFingerprints), 109:5-1-01 & 109:5-1-03
3. Alexandra Weingarth, Ohio Council for Home Care & Hospice, 109:5-1-01 & 109:5-1-03
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Hearing Summary Report

Consolidated Summary of Comments Received

Please review all comments received and complete a consolidated summary paragraph of the comments and indicate the rule number(s).

The input received for both OAC 109:5-1-01 and OAC 109:5-1-03 was concerned with the timing and amount of the proposed fee change. Concern was also raised about the amount of time available to implement the change.

Jean Thompson, the Executive Director of the OALA, provided written testimony urging our office to re-evaluate the increase or decrease the percentage increase.

Alexandra Weingarth at OCHCH provided written testimony urging our office to look into the impact the increase would have on the home care and hospice industry's ability to hire workers.

Rachel Winder, at Benesch Law provided testimony on behalf of National Background Checks, Inc. (dba FastFingerprints). Ms. Winder requested our office rethink the increase so FastFingerprints would have more time to implement the increase and consider the impact the change will have on their business – mainly the change will increase the cost they have to charge to consumers, the cost to reprogram their systems, and changes to their marketing materials and practices.

Hearing Summary Report

Incorporated Comments into Rule(s)

Indicate how comments received during the hearing process were incorporated into the rule(s).
If no comments were incorporated, explain why not.

The feedback received during the public hearing, in conjunction with additional outreach performed after the public hearing, resulted in a reduction of the proposed increase of 109:5-1-01 from \$13 to \$8 and a decrease of the proposed increase of 109:5-1-03 from \$2 to \$1. Additionally, the Business Impact Analysis was completed and revised to account for the costs this change will create in the marketplace. Finally, at the urging of several stakeholders, the Attorney General's Office and the Bureau of Criminal Identification & Investigation intends to delay the implementation date of the rule change to January 1, 2021 instead of the earliest possible date.