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Hearing Date: 10/25/2022

Today's Date: 10/31/2022

Agency: Ohio Department of Job and Family Services

Rule Number(s): 5101:2-1-01, 5101:2-5-03, 5101:2-9-36, 5101:2-9-43, 5101:2-9-44

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. Natalie Leek, Providence House

2. Jill Kingston, Brigid's Path

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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).

Ms. Natalie Leek of Providence House testified to advocate for revisions to the proposed rule 5101:2-9-36 that would allow her organization to contract with transportation providers for children served at any time versus the proposed rule language, which would restrict this to emergent situations. Ms. Leek cited legislative intent and HB 265 specifically to justify this change, in addition to adverse practical impacts on Providence House were the rule to proceed without changes. Additionally, Ms. Leek cited concern that the proposed draft language seemed to imply that all crisis nurseries and RICCs would automatically be considered family preservation centers under rule. Ms. Leek suggested clarifying language to address that concern be added to the proposed rule. Finally, Ms. Leek testified that unamended provisions of the proposed rule conflict with ORC 5103.13 regarding the maximum length of stay and suggested the department remove the conflicting language from the OAC section.

Ms. Jill Kingston of Brigid's Path also submitted written testimony on proposed changes to the same rule package, although her comments focused on OAC 5101:2-9-43. Specifically, Ms. Kingston cited concern that exemptions from the broader requirements of OAC 5101:2-9 for her provider type (RICC) found in Appendix A lack key exemptions that should be applied to her provider and the lack of these exemptions constituted a conflict with the amended ORC establishing this RICC sub-licensure and their unique line of business. She also noted that failure to adopt these exceptions in the appendix would also create a significant burden for the provider.

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.

In response, the department amended the proposed rules and revised filed the rule prior to the scheduled JCARR hearing, in line with the witnesses expressed concerns and suggestions.