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Hearing Date: 8/22/2023

Today's Date: 8/23/2023

Agency: Ohio Department of Aging

Rule Number(s): The hearing was on every rule in Chapter 173-9 of the Administrative Code, but we only received testimony on rule 173-9-05 of the Administrative Code.

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. Area Agency on Aging, PSA2

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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).

Area Agency on Aging, PSA2 emailed ODA to testify that, because the proposed new version of rule 173-9-05 of the Administrative Code will no longer repeat R.C. §173.38, that it will no longer be clear to a reader of the rule that only a 60-day period exists for conditional hiring unless the reader also reads R.C. §173.38.

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.

On 08/23/2023, ODA emailed Area Agency on Aging, PSA2 to explain that state laws enacted in recent years (R.C. §§ [106.03](#), [121.95](#), and [121.951](#)) require state agencies to reduce duplication of state and federal laws in rules and to reduce the use of regulatory restriction words (*e.g., shall*), which ODA is primarily reducing by no longer duplicating state and federal laws in our rules. Therefore, we cannot continue to duplicate (*i.e., repeat or restate*) all of R.C. §173.38 in our rules. However, we agree with the sentiment of your comment and made a revised filing of rule 173-9-05 of the Administrative Code to indicate that the conditional period may last up to 60 days.