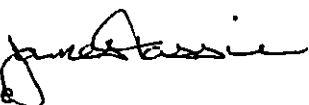


Office of
Medical Assistance

John R. Kasich, Governor
John B. McCarthy, Director

TO: Mark Hamlin
Director of Regulatory Policy
Ohio Lieutenant Governor's Office

THROUGH: Jim Tassie, Chief Legal Counsel 
Ohio Office of Medical Assistance

FROM: Debra L. Moscardino, Chief
Bureau of Long Term Care Services and Supports

RE: CSI Review – OAC 5101:3-45 Criminal Record Check Rules

DATE: October 16, 2012

Thank you for your recent review of the proposed rules governing "OMA-administered Waiver Program: Criminal Records Checks Involving Aging and Independent Providers, and Exclusionary Periods for Disqualifying Offenses, Certificates and Pardons" found in Chapter 5101:3-45 of the Administrative Code.

The Office of Medical Assistance (OMA) acknowledges that based upon your review, CSI has not requested any changes to these rules. However, as a follow-up to a phone conversation this morning between Whitney Sullinger, Rick Tully of the Office of Health Transformation, and Susan Fredman of OMA, OMA is revising OAC rule 5101:3-45-11 to reflect a change in statute that has come to our attention. The disqualifying offense set forth in paragraph (D)(1)(h) of this rule, i.e., R.C. 2907.23, is no longer referred to in statute as "procuring." Instead it is now referred to as "enticement or solicitation to patronize a prostitute; procurement of a prostitute for another." This change in statute took effect on June 27, 2012.

OMA will proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

Thank you.

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