



**John Kasich**, Governor  
**Bonnie K. Burman**, Director

## MEMORANDUM OF RESPONSE

To: Mark Hamlin, Director of Regulatory Policy, CSI Office and Lt. Gov. Office  
Sydney King, Regulatory Policy Advocate, CSI Office

From: Tom Simmons, Policy Manager

Re: 4 Services

Date: September 3, 2013

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Thank you for reviewing ODA's proposed amendments to rules 173-3-06.2, 173-3-06.3, and 173-3-06.4 of the Administrative Code; proposed rescission of rule 173-3-06.5 of the Administrative Code, and proposed adoption of new rule 173-3-06.5 of the Revised Code.

As we discussed in our telephone conversation before The CSI Office drafted its recommendations, ODA had determined to remove language in rule 173-3-06.4 and 173-3-06.5 of the Administrative Code that would require providers to publish policies and procedures in a written employee manual. ODA updated the BIA to reflect this change, which would relieve adverse impacts upon providers.

ODA also made two non-substantive amendments before filing the rules. Neither of the non-substantive amendments would create an adverse impact. Here are the non-substantive amendments: (1) deleting, in rule 173-3-06.5 of the Administrative Code, occurrences of "service" in "personal care service," because "care" is redundant of "service"; and (2) replacing, in rule 173-3-06.4 of the Administrative Code, occurrences of "he/she" with "he or she" and his/her" with "his or her."

Because your office recommended no other changes before proceeding, ODA will now proceed with filing the above mentioned rule proposals with JCARR.

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On September 3, 2013, ODA revise-filed the rules to revise the public hearing notice and the RSFAs. In doing so, ODA made no changes to the rules or to the rules' adverse impacts.

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