



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: October 28, 2013

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.

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.

50 W. Broad Street / 9th Floor
Columbus, OH 43215-3363 U.S.A.
www.aging.ohio.gov

614-466-5500 (Main)
614-466-5741 (Fax)
DIAL 711 (TTY)

On October 28, 2013, ODA refilled rule 173-3-06.5 of the Administrative Code to replace "434.36" in paragraph (B)(2)(a) of the rule with "484.36" and to replace "the s name, the consumer's name, the consumer's signature, and the PCA supervisor's signature" in paragraph (B)(4)(d) of the rule with "the PCA supervisor's name and signature, and the consumer's name and signature." In doing so, ODA corrected two typographical errors and switched the order of items in a list. Neither of these revisions change the rule's adverse impact or the BIA.