



John Kasich, Governor
Bonnie K. Burman, Sc.D., 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: Chapter 173-39 Rules

Date: April 14, 2014, Revised on May 29, 2014.

Thank you for reviewing ODA's rule proposals Chapter 173-39 of the Administrative Code. Because your office recommended no changes before proceeding, ODA will now proceed with filing the above mentioned rule proposals with JCARR.

Thank you for your work.

Revised: On May 7 ODA revised the filing of rule 173-39-02.4 of the Administrative Code to better comply with the incorporation-by-reference statutes. In doing so, ODA added a date to the two forms that it cited and referenced ODA's website. ODA's analysis of the rule's adverse impact in the BIA will not change as a result of the rule revision because the revision will not alter the rule's adverse impact.

Revised: On May 29, 2014, ODA refiled the rule to amend the licensure requirements. The rule's current language requires a pesticide license from the Ohio Dept. of Agriculture. However, because some pest control providers trap animals (e.g., raccoons) and others eliminate bees but do so without pesticides, ODA is opting for the following, more inclusive language:

"The provider shall hold a valid license with the Ohio department of agriculture or Ohio department of natural resources to practice the type of pest control that it furnishes to consumers, if the type of pest control that the provider furnishes requires licensure."

ODA's analysis of the rule's adverse impact in the BIA will not change as a result of the rule revision because the refiled rule will not alter the rule's adverse impact.

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)