



ACTION: Final

# OHIO DEPARTMENT OF HEALTH

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John R. Kasich/Governor

Richard Hodges/Director of Health

## AGENCY MEMORANDUM OF RESPONSE

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

**FROM:** Lance Himes, J.D.   
General Counsel  
Ohio Department of Health

**RE:** O.A.C. Chapter 3701-64 – Investigations of Abuse, Neglect, and  
Misappropriation of the Property of a Long-Term Care Resident

**DATE:** December 7, 2015

We appreciate CSI's review of O.A.C. Chapter 3701-64 rules that pertain to Investigations of Abuse and Neglect in Long-Term Care Facilities, and the Misappropriation of Property of LTC-facility residents. ODH reviewed the rules to meet five-year review requirements and is proposing all five with amendments.

When the rules were posted for comment and for CSI Review, ODH expected to propose one of the rules (3701-64-04) without change. Instead, however, ODH is proposing to amend 3701-64-04 to add a date to a citation.

Besides the CSI recommendation, at its October 23, 2015 meeting, the Ohio Public Health Advisory Board (OPHAB) voted to recommend going forward with the rules.

c: Sydney King