

Mike DeWine, Governor
Jon Husted, Lt. Governor

Amy Acton, M.D., MPH, Director

AGENCY MEMORANDUM OF RESPONSE

TO: Ethan Wittkorn, Regulatory Policy Advocate

CC: Carrie Kuruc
Director of the Common Sense Initiative Office
Ohio Lieutenant Governor

FROM: Lisa Eschbacher
Deputy General Counsel
Ohio Department of Health

RE: Ohio Hearing Aid Assistance Program
(OAC Chapter Rules 3701-45-01, 3701-45-02,
3701-45-03, 3701-45-04)

DATE: November 21, 2019

Thank you for permission to move forward with Original Filing O.A.C. Rules 3701-45-01, 3701-45-02, 3701-45-03 and 3701-45-04 with JCARR. This Ohio Department of Health package consists of four amended rules. This rule package was submitted to the CSI Office on September 23, 2019, with the public comment period open through October 23, 2019. These rules cover the Ohio Hearing Aid Assistance Program (OHAAP), which provides assistance to children with hearing impairments. Proposed rules include definitions; requirements for the administration of the program; eligibility requirements for the program; and eligibility requirements for audiologists and hearing aid dealers and fitter's involvement in the program. Amendments to the rules include updates to references; expanding the scope of audiology and hearing services to include assistive listening device selection and assistive listening device adjustments; updates to the eligibility parameters; and removal of co-payments and addition of a sliding fee scale. Impacted communities include hearing aid fitters and dealers, audiologists, and families effected by hearing loss. Business impacts include the required time, and any other administrative costs associated with completing the application process to become a program provider. The Department states that the rules are necessary to meet statutory requirements in temporary law, Section 291.20 of AM Sub HB 166 of the 133rd General Assembly.