

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

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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.