



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Sean McCullough, Director

MEMORANDUM

TO: Alicyn Carrel, Ohio Department of Health

FROM: Jacob Ritzenthaler, Regulatory Policy Advocate

DATE: July 23, 2021

RE: **CSI Review – Help Me Grow Program #1 (OAC 3701-8-03, 3701-8-06, 3701-8-08 and 3701-8-09)**

On behalf of Lt. Governor Jon Husted, and pursuant to the authority granted to the Common Sense Initiative (CSI) office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Department as provided for in ORC 107.54.

Analysis

This rule package consists of four amended rules proposed by the Ohio Department of Health (ODH). This rule package was submitted to the CSI Office on February 22, 2021, and the public comment period was held open through March 21, 2021. Several rules initially included in the package were withdrawn to consider stakeholder feedback. Unless otherwise noted, this recommendation reflects the version of the four remaining proposed rules filed with the CSI Office on February 22, 2021.

Ohio Administrative Code (OAC) Chapter 3701-8 establishes requirements for the Help Me Grow Program. OAC 3701-8-03 concerns eligibility and expansion of home visiting service providers and is amended to update submission guidelines and require notification upon changing evidence-based or promising-practice models. OAC 3701-8-06 sets forth requirements for provider quality assurance and monitoring and includes minor language amendments. OAC 3701-8-08 and 3701-8-09 establish provisions for rights, privacy, and reimbursement for home visiting services. Amendments include general updates and removal of unnecessary reimbursement prohibitions.

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During early stakeholder outreach, ODH reviewed the proposed rules during meetings of the Governor's Advisory Committee on Home Visitation, Ohio Home Visiting Consortium, and meetings with the central intake and referral agency. During that time, ODH amended the proposed rules to reflect stakeholder input regarding eligibility, aligning home visitor education requirements with evidence-based model standards, and ensuring that at-risk families are served by the program. Based on comments received during the CSI public comment period, OAC 3701-8-01, 3701-8-02, 3701-8-04, 3701-8-05, 3701-8-07, and 3701-8-10 were withdrawn from this package for further discussion.

The business community impacted by the rules includes all providers of home visiting services through the Help Me Grow program. The adverse impact created by the rules includes requirements to enter into an agreement with ODH to provide services. ODH states in the BIA that the rules are necessary to ensure that providers are complying with evidence-based and promising-practice models of service provision.

Recommendations

Based on the information above, the CSI Office has no recommendations on this rule package.

Conclusion

The CSI Office concludes that the Department should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review