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## Ohio Department of Health Public Hearing Notification

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Department  
of Health

March 30, 2023 at 1:30pm

## Notice of Public Rules Hearing

**March 30, 2023 at 1:30pm**

**Microsoft Teams meeting**

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Meeting ID: 254 409 694 223 Passcode: 35ubf9

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682042763@t.plcm.vc

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In accordance with Chapter 119 of the Revised Code (R.C.), the Director of the Ohio Department of Health announces a Public Hearing at the date and time listed above to hear comments regarding the following action:

**3701-52 - Smokefree Workplace (OAC 3701-52-01, 3701-52-02, 3701-52-03, 3701-52-04, 3701-52-05, 3701-52-06, 3701-52-07, 3701-52-08, 3701-52-09, and 3701-52-10)**

This rule package consists of six new rules, four amended rules, and five rescinded rules proposed by the Ohio Department of Health (ODH). This rule package was submitted to the CSI Office on July 26, 2022, and the public comment period was held open through August 26, 2022.

**3701-49-01.1 and 3701-55 - Newborn Screening (3701-49-01.1, 3701-55-01, 3701-55-03, 3701-55-04, 3701-55-05, 3701-55-06, 3701-55-07, 3701-55-08, 3701-55-09, 3701-55-10, and 3701-55-20)**

Ohio Administrative Code (OAC) 3701-49-01.1 establishes fees for laboratory services provided by the ODH laboratory and is amended to increase the fee for newborn screening services from \$48.30 to \$63.46 and to amend certain terminology. OAC 3701-55-01 lists definitions used throughout the chapter related to newborn screening for genetic, endocrine, and metabolic disorders and is amended to update terms for the Children with Medical Handicaps Program. This rule package consists of six amended rules and five no change rules proposed by the Ohio Department of Health (ODH). This rule package was submitted to the CSI Office on June 17, 2022, and the public comment period was held open through July 17, 2022.

**3701-84 - Health Care Services (OAC 3701-84-02 to 3701-84-14, 3701-84-16 to 3701-84-21, 3701-84-21 to 3701-84-27, 3701-84-30, 3701-84-31 to 3701-84-34.2, 3701-84-37 to 3701-84-40, 3701-84-60 to 3701-84-65, 3701-84-67 to 3701-84-73, 3701-84-76 to 3701-84-85)**

This rule package consists of thirty-six amended, ten new, nineteen rescinded, and two no-change rules proposed by the Ohio Department of Health (Department). This rule package was submitted to the CSI Office on September 13, 2022, and the public comment period was held open through October 12, 2022. After conclusion of the comment period, the Department withdrew OAC 3701-84-01, 3701-84-30.1, 3701-84-30.2, 3701-84-30.3, 3701-84-30.4, and 3701-84-36 from the original collection of rules submitted to CSI to conduct an additional second comment period and collect additional stakeholder feedback, after receiving several comments specific to these rules.

**3701:1-43 - Technologically Enhanced Naturally Occurring Radioactive Material (OAC 3701:1-43-01 through 3701:1-43-29)**

Ohio Administrative Code (OAC) Chapter 3701:1-43 establishes requirements for radiation protection standards for technologically enhanced naturally occurring radioactive material (TENORM). This rule package consists of three amended rules and sixteen no change rules proposed by the Ohio Department of Health (Department). This rule package was submitted to the CSI Office on July 14, 2022, and the public comment period was held open through August 14, 2022.

**3701:1-37 and 3701:1-50 - Radioactive Material Rules (OAC 3701:1-37-08, 3701:1-37-10 3701:1-37-15 3701:1-37-26 3701:1-50-23 and 3701:1-50-25)**

15, 3701:1-18, 3701:1-20, 3701:1-22, 3701:1-24, and 3701:1-26,

Ohio Administrative Code (OAC) Chapter 3701:1-37 establishes requirements for the physical protection program for any licensee that possesses an aggregated category one or category two quantity of radioactive material listed in Appendix A to OAC 3701:1-37-01. OAC 3701:1-50-25 lists the values of relevant radionuclides, and the appendix is amended to adjust certain values. This rule package consists of six amended proposed by the Ohio Department of Health (Department). This rule package was submitted to the CSI Office on July 26, 2022, and the public comment period was held open through August 26, 2022.

**3701:1-58 and 3701:1-37-01 - Radioactive Material Rules (OAC 3701:1-37-01, 3701:1-58-18, 3701:1-58-20, 3701:1-58-21, 3701:1-58-101, and 3701:1-58-102)**

Ohio Administrative Code (OAC) Chapter 3701:1-58 establishes requirements for the medical use of radioactive materials. This rule package consists of six amended rules proposed by the Ohio Department of Health (ODH). This rule package was submitted to the CSI Office on September 13, 2022, and the public comment period was held open through October 12, 2022.

**Hearing and Contact Information:**

**Information about the hearing, people affected by the proposed action may appear via teleconference and be heard or in tandem with an attorney. They may present their positions, arguments, or contentions orally or in writing; may offer witnesses; and may present evidence showing that the proposed rule, if adopted or effectuated, will be unreasonable or unlawful. To aid in getting the call to be organized and go as smooth as possible, any persons intending to testify on the tele-Public Hearing or planning to observe are encouraged to email [Alicyn.Carrel@odh.ohio.gov](mailto:Alicyn.Carrel@odh.ohio.gov) immediately.**

**Please include in the subject of your email – TESTIFYING IN PUBLIC HEARING and the DATE of the Public Hearing in which you are testifying.**

**Copies of the proposed rules will be available on the Register of Ohio website:  
<http://www.registerofohio.state.oh.us/rules/search> approximately one day after the rule is filed, or from the Office of the General Counsel, Ohio Department of Health (<https://odh.ohio.gov/health-rules-laws-and-forms>)**

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