

**NOTICE OF PUBLIC HEARING**

DATE: December 13, 2023

TIME: 10:00 a.m.

PLACE: Lobby Hearing Room
Rhodes State Office Tower
30 East Broad Street
Columbus, Ohio 43215

Pursuant to Chapter 119. of the Revised Code, the Ohio Department of Developmental Disabilities hereby gives notice of its intent to amend rule 5123-9-02 of the Administrative Code on a permanent basis on or about January 25, 2024, and to conduct a public hearing thereon. At this public hearing, the Department will accept verbal and/or written testimony regarding the proposed amendments.

Persons unable to attend the public hearing may submit written comments. Any written comments received on or before the public hearing date will be treated as testimony and made available for public review. Submittal of written comments may be made to Becky Phillips, Administrative Rules Coordinator, by email to becky.phillips@dodd.ohio.gov or by U.S. mail to 1810 Sullivant Avenue, Columbus, Ohio 43223-1239. Comments regarding rules are public records; persons submitting comments should refrain from including confidential or personal information about themselves or any other person.

Rule 5123-9-02 (Home and community-based services waivers - ensuring the suitability of services and service settings) establishes standards to ensure that individuals receiving services through Home and Community-Based Services waivers administered by the Department receive the services in settings that meet requirements established by the Centers for Medicare and Medicaid Services. The rule is being amended to permit short-term provision of three specific Home and Community-Based Services (i.e., Homemaker/Personal Care, Participant-Directed Homemaker/Personal Care, and Shared Living) to individuals in acute care hospitals in accordance with administrative rules governing the three services. Additional amendments are being made to adjust wording in response to stakeholder feedback, update a citation to the Administrative Code, and align wording with newer rules.

The rule is available for review at the [Register of Ohio](#) and at the [Department's website](#). The rule is also available for review at each county board of developmental disabilities.

The Department is committed to providing access and inclusion and reasonable accommodation in its services, activities, programs, and employment opportunities in accordance with the Americans with Disabilities Act and other applicable laws. To request a reasonable accommodation due to a disability, please contact Becky Phillips, Administrative Rules Coordinator, no later than November 29, 2023, by email to becky.phillips@dodd.ohio.gov or by telephone (614-644-7393 / TTY 711).

Please note that visitors to the Rhodes State Office Tower must enter the building through the Broad Street lobby. Visitors will be required to register at the security desk by showing government-issued photo identification and pass through a magnetometer. Visitors' belongings, such as purses and backpacks, are subject to inspection.