



Department of
Aging

John Kasich, Governor
Bonnie K. Burman, Sc.D., Director

PUBLIC HEARINGS NOTICE

REVISED ON APRIL 22, 2016

To make it easier for one person to participate in multiple public hearings, and to reduce state spending on public hearings, the Ohio Department of Aging (ODA) will consolidate the public hearings for **five** rule projects into the following place and time:

**Rhodes Tower, Lobby Hearing Room
30 E. Broad St.
Columbus, OH 43215**

May 25, 2016 at 11:00AM

Any person is welcome to participate in the consolidated public hearing.

Participants may find area parking at street meters and area parking garages, including the Ohio Statehouse's [underground parking garage](#), which is across the street from the Rhodes Tower.

Here are the rule projects with a May 25 public hearing:

NUTRITION The rules involved in the project directly regulating the Older Americans Act Nutrition Program in Ohio and all rules directly regulating ODA-certified providers when they provide meals to consumers enrolled in the PASSPORT Program. The project's 6 primary goals are to (1) increase person direction, (2) eliminate 210 unnecessary regulations and reduce the impact of 36 other regulations, (3) increase verification of meals delivered and services provided, (4) clarify eligibility requirements for the Older Americans Act Nutrition Program, (5) make a new requirement to publish menus and ingredient information on provider websites or offer the same in writing to consumers, and (6) comply with state laws that require adopting rules. The project involves rescinding OAC Chapter 4 and replacing it with a new chapter of rules. It also involves rescinding OAC 173-39-02.2, 173-39-02.10, and 173-39-02.14 and replacing those rules with new rules of the same number. The project also involves amending related language in the rules that regulate adult day services for the Older Americans Act and PASSPORT Programs (OAC 173-3-06.1 and 173-39-02.1).

For more information on the nutrition project, please review the business impact analysis (BIA) and its appendices.

OLDER AMERICANS ACT The project would implement federal requirements on procuring goods and services in 45 C.F.R. Part 75 and 2 C.F.R. 180. The project would also implement additional state requirements on procuring for goods and services. The project involves rescinding OAC 173-3-01, 173-3-04, 173-3-05, 173-3-06, and 173-3-07 and replacing the rules with OAC 173-3-01, 173-3-04, 173-3-05, 173-3-05.1, 173-3-06, and 173-3-07. It also involves amending OAC 173-3-09.

For more information on the Older Americans Act rule project, please review the BIA and its appendices.

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COMMUNITY CHARACTERISTICS AND PERSON-CENTERED PLANNING The project would implement requirements into ODA's rules to comply with the Ohio Dept. of Medicaid's proposed new (1A) community-characteristics rule and (1B) person-centered planning rule, which in turn, would bring Ohio into compliance with new federal mandates on those topics. The project would also make (2) several common-sense amendments as well as (3) many non-substantive updates to terminology and references. The project involves rescinding OAC 173-38-01, 173-40-01, 173-42-01, and 173-51-01 and replacing with new rules. It also involves amending OAC 173-39-01 and 173-39-02.

For more information on the rules containing the community characteristics and person-centered planning standards, please review the BIA and its appendices.

MISCELLANEOUS UPDATES The project would amend rules for area agencies on aging (OAC 173-2-03, 173-02-04), the unified waiting list (OAC173-44-04), and PACE (OAC Chapter 173-50) with non-substantive amendments to incorporate updated terminology and references.

LONG-TERM CARE CONSUMER GUIDE FEES The single-rule project would (1) delete language that sunsets on June 30, 2016 after its sunsets and (2) correct a misspelled word.

Any person may participate in the public hearings. To submit written testimony to ODA regarding the rule projects, please email the written testimony to ODA's policy development manager, Tom Simmons, at tsimmons@age.ohio.gov before May 25, 2016.