

ODA0003

Ohio Department of Aging



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Ted Strickland, Governor
Barbara E. Riley, Director

NOTICE

Notice is hereby given that the Ohio Department of Aging will conduct a public hearing in accordance with Chapter 119.032 of the Ohio Revised Code to obtain comments concerning the Department's proposed adoption of rules governing rules of Chapter 173-1 of the Ohio Administrative Code.

The hearing to which this notice applies will be conducted on **Thursday, March 29, 2007** in Conference Room A of the Department's offices at 50 W. Broad Street, 9th floor; Columbus, OH 43215. The hearing will begin at 1:00PM and will continue until all parties in attendance at that time have had an opportunity to provide comment.

The following rules are being proposed for adoption:

**173-1-01
Adoption,
amendment, and
recession of
administrative
rules.**

This rule governs the requirements of the Department of Aging when notifying the public of its intention to adopt, amend, or rescind an administrative rule. The proposed amended rule contains the following changes:

1. The current rule exclusively requires ODA to post a notice to the twelve area agencies on aging (AAAs) when it files a rule with the Joint Committee on Agency Rule Review (JCARR). This is in disagreement with section 119.03 of the Revised Code, which requires the notice to be a "reasonable public notice...given in the register of Ohio." Therefore, this proposed amended rule requires ODA to post a "public" notice in the Register of Ohio whenever it files a rule with JCARR.
2. The proposed new rule clarifies that when a person who is affected by the proposed rule requests a copy of the public notice, ODA shall provide the notice free of charge, whether electronically or by hard copy.
3. The proposed new rule makes other changes that bring the language of the rule into compliance with the Rule Drafting Manual ("Rule Drafting Manual." Ohio legislative Service

Commission. 4th Ed. May, 2006) and that provide the consistent use of terms without changing the intent, function, or meaning of the rule.

**173-1-02
Introduction to
the department
and definitions.**

This rule introduces the Department of Aging and defines terms that are used throughout the administrative rules of the Department. The proposed amended rule states in paragraphs (B)(1), (B)(5), and (B)(6) that the terms defined by those paragraphs also can be represented throughout the rules of the Department by specific acronyms, which also reduces the number of paragraphs in the rule.

**173-1-03
Designation of
planning and
service areas.**

The proposed amended rule designates to which of the twelve planning and service areas (PSAs) each of the eighty eight Ohio counties belong. The proposed amended rule also mandates that ODA use funding formulas to distribute funds among these PSAs. The proposed amended rule contains the following changes:

1. The spelling of Hardin County was corrected.
2. Two terms were replaced with acronyms defined in rule 173-1-02 of the Administrative Code.

**173-1-04
Personal
information
systems.**

In light of the passage of House Bill No. 104 of the 126th General Assembly, section 1347 of the Revised Code thoroughly and adequately addresses the issue of personal information systems. Thus, the Department of Aging is proposing rescission of this rule.

Written comments or requests for information concerning the proposed actions may be directed to Tom Simmons at the Department on or before the date of the hearing by writing to tsimmons@age.state.oh.us, by faxing a document to 614-995-1049, or by mailing to the above address.