

## Public Notice

Notice is hereby given that the Ohio Department of Aging will conduct a hearing in accordance with Chapter 119. of the revised Code to obtain comment concerning the Department's proposed rescission and adoption of administrative rules governing the Golden Buckeye Card program.

All existing rules governing the Golden Buckeye Card program are being proposed for rescission, amendment and re-adoption in an effort to allow the Department to amend its existing rules and supplement them with rules intended to implement the prescription drug discount component of the Golden Buckeye Card program. The Department is also proposing a new rule governing the maintenance of personal information systems by the Department. The rules to which this notice applies include the following:

Rule 173-1-04 (To be Adopted) requires the Department to maintain all personal information systems in accordance with Chapter 1347. of the Revised Code.

Rule 173-6-01 (To be Rescinded) provides a brief introduction to the Golden Buckeye program and the rules in Chapter 173-6 of the Administrative Code.

Rule 173-6-01 (To be Adopted) provides a brief introduction to the Golden Buckeye program, including the prescription drug discount component of the program, and the rules in Chapter 173-6 of the Administrative Code.

Rule 173-6-02 (To be Rescinded) describes eligibility requirements for participation in the Golden Buckeye program, describes how an applicant may verify eligibility, and provides for the continued validity of cards issued prior to July 3, 1980.

Rule 173-6-02 (To be Adopted) defines a number of the terms used throughout Chapter 173-6 of the Administrative Code.

Rule 173-6-03 (To be Rescinded) outlines the application process for enrollment in the Golden Buckeye program and explains how individuals can determine the location of all application sites.

Rule 173-6-03 (To be Adopted) describes who is eligible to participate in the Golden Buckeye program, describes how eligibility can be verified by an applicant, indicates that a card is to be held in perpetuity, prohibits a card from being transferred from one person to the next, and requires all cards to be signed by the cardholder in order to be valid.

Rule 173-6-04 (To be Rescinded) describes how Golden Buckeye cards will be distributed by the Department, provides that all cards are to be held in perpetuity by the cardholder, requires all cards to be signed by the cardholder in order to be effective, and authorizes individuals to replace lost, stolen, or damaged cards.

Rule 173-6-04 (To be Adopted) describes how the Department of Aging and/or its administrator(s) will distribute Golden Buckeye cards to the public, allows applicants to apply for their cards at application sites or through the mail, allows cardholders to replace lost, stolen or damaged cards.

Rule 173-6-05 (To be Rescinded) describes the application process merchants must follow in order to participate in the Golden Buckeye program, requires merchants to agree to certain terms and conditions as a prerequisite to participating in the program, and authorizes a merchant and/or the Department of Aging to terminate the merchant's participation in the program simply by providing written notice to that effect to the other party.

Rule 173-6-05 (To be Adopted) describes the application process merchants and service providers must follow in order to participate in the Golden Buckeye program, requires merchants and service providers to agree to certain terms and conditions as a prerequisite to participating in the program, makes participation in the program subject to approval by the Department, and authorizes either a merchant/service provider and/or the Department of Aging to terminate the merchant's/service provider's participation in the program simply by providing written notice to that effect to the other party.

Rule 173-6-06 (To be Adopted) indicates that the Department of Aging may maintain a database of information obtained by the Department from cardholders participating in the Golden Buckeye program, describes restrictions that apply to the Department's use of cardholder information, authorizes an administrator to maintain a database of information obtained from cardholders, establishes certain requirements that must be met before an administrator may establish and use such a database, places limits upon a provider's use of such a database, requires cardholders to opt-in to an administrator's plans before the administrator can use personally identifiable information concerning any cardholder, recognizes the General Assembly's decision to exempt certain program records from disclosure under Ohio's public records law.

Rule 173-6-07 (To be Adopted) notes that the Department of Aging may contract with one or more entities to administer prescription drug discount programs on behalf of the Department, requires contracts to be awarded through a competitive sealed proposal process conducted by the Department of Aging or through the Department of Administrative Services, establishes certain criteria in order for a proposal to be accepted by the Department of Aging and considered for final award, specifies the length of time these contracts may be in effect, recognizes that the Department of Aging may terminate the contract and/or may require an administrator to modify its conduct of a program for certain reasons, recognizes that the Department of Aging must obtain Controlling Board approval before entering into any contract or contract extension with any entity.

Rule 173-6-08 (To be Adopted) places a number of restrictions and obligations upon administrators with regard to their administration of prescription drug discount programs while under contract with the Department of Aging.

The hearing to which this notice applies will be conducted on Tuesday, October 22, 2002 in South Conference Rooms B and C on the 31st floor of the Verne Riffe Center, located at 77 S. High Street in Columbus, Ohio. The hearing will begin promptly at 10:00 a.m. and will continue until all parties in attendance at that time have had an opportunity to provide comment. Written comments may be mailed or faxed (614-466-5741) to Mike Laubert at the Ohio Department of Aging, 50 W. Broad Street, 9th Floor, Columbus, Ohio 43215, on or before the date of the hearing. Requests for copies of the rules being proposed for rescission and adoption may be submitted to Mike Laubert at the fax number or address noted above, or by calling (614) 752-9677.