



Department of
Aging

Ted Strickland, Governor
Barbara E. Riley, Director

NOTICE

ODA will conduct a public hearing to obtain comments concerning ODA's proposed rescission of rules and adoption of new rules and amended rules regarding the **general "housekeeping" matters** such as eliminating rules with no function, placing rules of one topic into one chapter, splitting two-topic rules with one-topic rule titles into two rules, and creating more uniformity in rules on introductions and definitions, as required by section 119.03 of the Revised Code. ODA will conduct the hearing on **March 24, 2009** in Conference Room A of the Department's offices at 50 W. Broad Street, 9th floor; Columbus, OH 43215. The hearing will begin at **10:00AM** and will continue until all parties in attendance at that time have had an opportunity to provide comment.

ODA is proposing to rescind two rules that are redundant and unnecessary:

Rule 173-1-01 of the Administrative Code was first adopted in 1979. It is preempted by section 119.03 of the Revised Code, which was adopted in 2002. The current version of rule 173-1-01 has no purpose other than to restate section 119.03 of the Revised Code. Therefore, ODA is proposing to rescind it.

Because there is no need to introduce the department in a rule and because having a rule that contains definitions for all rules is not practical and because the same terms are defined again within the chapters of the Administrative Code that use those terms, ODA is proposing to rescind rule 173-1-02 of the Administrative Code.

ODA is proposing to reorganize the rules that pertain to AAAs so that they appear in one chapter. Additionally, ODA is proposing to split two-topic rules into two one-topic rules. In this reorganization, ODA is not proposing to make any programmatic changes.

CURRENT RULE		PROPOSED NEW RULE
None	→	173-1-01 Introduction and definitions
173-1-03 Planning and service areas (PSAs). (This rule included the topic of funds allocation.)	→	173-1-02 Planning and service areas. 173-1-03 Funds allocation.
173-2-01 Area agencies on aging (AAAs).	→	173-1-04 Area agencies on aging (AAAs).
173-2-02 Designation of new AAAs. (This rule included the topic of area plans.)	→	173-1-05 Designating a new AAA. 173-1-06 Area plans.
173-2-03 Monitoring AAAs and sanctions.	→	173-1-07 Monitoring, corrective-action plans, and sanctions.
173-2-04 De-designation of AAAs.	→	173-1-08 De-designating an AAA.
173-2-05 Administrative hearings on de-designation.	→	173-1-09 Hearings on de-designation.

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ODA is proposing to amend rules 173-6-01, 173-35-01, 173-36-01, 173-39-01, 173-40-01, and 173-43-01, which are rules that introduce chapters and define terms used in those chapters. The goal is to use a more uniform terminology and style from one rule to the next.

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.