

NOTICE OF PUBLIC HEARING

DATE: Friday, December 2, 2011
TIME: 2:00 P.M.
PLACE: Basement Conference Room A/B
OHIO DEPARTMENT OF HEALTH
35 E. Chestnut Street
Columbus, Ohio 43215

In accordance with Chapter 119 of the Revised Code (R.C.) and by authority of R.C. 3701.022, the Director of the Ohio Department of Health (ODH), or his designee, will conduct a public hearing at the time and place listed above to consider the proposal to amend Ohio Administrative Code (O.A.C.) rule 3701-63-02. This rule sets forth the procedure by which a nursing facility submits a plan of correction for findings and deficiencies cited as a result of a survey by the Department of Health. Also the rule sets forth the procedure for a facility to obtain informal review of deficiencies that were included on a statement of deficiencies.

In compliance with House Bill 153 of the 129th General Assembly, the proposed amendments revise the current informal dispute resolution process. The proposed amendments provide a second review by a hearing officer if the facility is not satisfied with the first review conducted by an employee of the Department. On October 28, 2011, the independent dispute review option was adopted by Emergency Rule that will expire after 90 days if it is not replaced.

At the hearing, people affected by the proposed action may appear and be heard in person, by an attorney or both; may present their positions, arguments, or contentions orally or in writing; may offer witnesses; and may present evidence tending to show that the proposed rule, if adopted or effectuated, will be unreasonable or unlawful.

To aid in getting visitors through building security, both persons intending to testify at the hearing and those simply intending to observe are encouraged to pre-register by writing the Office of the General Counsel [Rules], Ohio Department of Health, 246 North High Street, Columbus, Ohio 43215, by telephoning (614) 466-4882, or by sending an e-mail to odhrules@odh.ohio.gov.

Copies of the proposed rule are available on the Register of Ohio website. A link to this site may be found at <http://www.odh.ohio.gov/rules/pending.aspx> or from the Office of the General Counsel, Ohio Department of Health. Please FAX [(614) 564-2509], mail, or e-mail any written comments by 10:00 a.m. on November 29, 2011.

November 1, 2011