

# NOTICE OF PUBLIC RULES HEARING

DATE: Thursday, February 11, 2016  
 TIME: 3:00 p.m.  
 246 N. High Street  
 Columbus, Ohio 43215  
 ROOM: 8<sup>th</sup> Floor Large Conference Room

In accordance with Chapter 119. of the Revised Code (R.C.), the Director of the Department of Health is proposing changes to the following Ohio Administrative Code (O.A.C.) rules:

## **O.A.C. Chapter 3701-48-02 – Save Our Sight Program**

By authority of R.C. 3701.21 and in fulfillment of five-year review (FYR) requirements, the Director proposes to amend O.A.C. rule 3701-48-02 – “Procedures and parameters for 501 (c) organizations to request funding from the save our sight fund.” The proposed revision to rule 3701-48-02 corrects the acronym for the Ohio Grants Administrative Policy and Procedure by adding an “O” to read “OGAPP.”

## **O.A.C. Chapter 3701-58-01 to -04 – Dental Hygienist Loan Repayment Program**

By authority of R.C. 3701.961, the Director proposes to adopt new O.A.C. rules 3701-58-01, 3701-58-02, 3701-58-03, and 3701-58-04 for the purpose of implementing and administering the Ohio Dental Hygienist Loan Repayment Program. The rules 1) define terms; 2) outline eligibility requirements; 3) set prioritization factors to be used in developing scoring criteria and determination of loan amounts; 4) define requirements for issuing an ODHLRP contract; and 5) define the geographic areas and facility types that qualify as dental health resource shortage areas, as well as considerations for approval and prioritization of dental health resource shortage areas.

## **O.A.C. Chapter 3701-64-01 to -05 – Investigation of Allegations of Abuse, Neglect and Misappropriation in LTC-facilities.**

By authority of R.C. 3721.26 and to fulfill five-year review requirements, the Director proposes to amend O.A.C. rules 3701-64-01, 3701-64-02, 3701-64-03, 3701-64-04, and 3701-64-05. These rules pertain to investigations of allegations of abuse, neglect, and misappropriation in long-term care facilities. Proposed amendments 1) update notice requirements to reduce costs to the Department; 2) equate sexual assault to physical assault; 3) remove redundancies within the rules; and 4) conform to Legislative Service Commission rule drafting standards.

## **O.A.C. Rules 3701-84-30 to 3701-84-34.2—Adult Cardiac Catheterization.**

Pursuant to R.C. 3702.11 and 3702.13, the Director proposes the following actions:

3701-84-30	General adult cardiac catheterization service standards	New
3701-84-30	Adult cardiac catheterization service standards	Rescind
3701-84-30.1	Level I cardiac catheterization service standards	New
3701-84-30.2	Level II cardiac catheterization service standards	New
3701-84-30.3	Level III cardiac catheterization service standards	New
3701-84-31	General personnel/staffing	Amend
3701-84-32	General facilities, equipment, and supplies	Amend
3701-84-33	Safety standards	Amend
3701-84-34	Adult cardiac catheterization service performance measures	New

3701-84-34	Patient selection/utilization	Rescind
3701-84-34.1	Inspection and review of adult cardiac catheterization services	New
3701-84-34.2	Termination of an adult cardiac catheterization service	New

The amended and new rules set forth the facility, personnel, and training, equipment, inspection, quality, and performance requirements for a new three level structure for cardiac catheterization services. Those levels are:

Level I – Diagnostic procedures only, in a setting without an on-site open heart surgery service.

Level II – Diagnostic and therapeutic procedures (excluded procedures are listed in rule) in a setting without an on-site open heart surgery service.

Level III – Full spectrum of diagnostic and therapeutic procedures provided in a setting with an on-site open heart surgery service.

### **Hearing Process and Comment Opportunity:**

At the hearing, people affected by the proposed actions 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 rules, 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 to the Office of the General Counsel, Ohio Department of Health, 246 North High Street, Columbus, Ohio 43215, by phoning (614) 466-4882, or by sending an e-mail to [odhrules@odh.ohio.gov](mailto:odhrules@odh.ohio.gov). Copies of the proposed rules are available on the Register of Ohio website: <http://www.registerofohio.state.oh.us/jsps/publicdisplayrules/searchRuleNumber.jsp>, or from the Office of the General Counsel, Ohio Department of Health (address listed above). Please FAX [(614) 564-2509], mail, or e-mail any written comments by 10:00 a.m. on February 11, 2016.

*December 24, 2015*