

NOTICE OF PUBLIC HEARING

DATE: APRIL 3, 2008

TIME: 10:00 A.M.

PLACE 8th FLOOR CONFERENCE ROOM
OHIO DEPARTMENT OF HEALTH
246 N. HIGH STREET
COLUMBUS, OHIO 43215

In accordance with Chapter 119 of the Revised Code (RC) and by authority of RC sections 3702.11 and 3702.13, the Director of the Ohio Department of Health (ODH), or his designee, will conduct a public hearing to consider the following proposals resulting from the five year review of numerous Health Care Services (HCS) rules in Ohio Administrative Code (OAC) Chapter 3701-84: to amend OAC rules 3701-84-01, 3701-84-17, 3701-84-19, 3701-84-20, 3701-84-30 to 3701-84-34, 3701-84-36 to 3701-84-40, 3701-84-42, 3701-84-43, 3701-84-46, 3701-84-50, 3701-84-51, 3701-84-54, 3701-84-55, 3701-84-59, 3701-84-61 to 3701-84-64, 3701-84-67 to 3701-84-70, 3701-84-72, 3701-84-73, and 3701-84-76; and to rescind current and enact new rules 3701-84-21 and 3701-84-71.

Included among the proposed amendments are the following:

- In OAC rules 3701-84-01, 3701-84-17, 3701-84-19, 3701-84-20, 3701-84-21, and 3701-84-76, 1) removal of "autologous islet cell transplantation" from the definition of "solid organ transplant service;" 2) setting restrictions for "dedicated" transplant surgeons and physicians; and establishing temporary suspension of service guidelines for transplant programs. These proposals are a result of changes in industry standards, specifically transplant services.
- Elimination of HCS data reporting requirements in OAC rules 3701-84-30, 3701-84-31, 3701-84-34, 3701-84-40, 3701-84-46, and 3701-84-72 to reflect statutory revisions in House Bill 197 of the 126th General Assembly.
- In OAC rules 3701-84-20, 3701-84-30, 3701-84-34, and 3701-84-40, replacement of some current appendices either with new appendices or with reference to updated standards within the rule text.
- In OAC rule 3701-84-55, elimination of language pertaining to a "grace period," an exemption, and removal of specific educational requirements for certain Registered Nurses employed as obstetric nurse managers.

Finally, miscellaneous amendments are proposed to 1) replace outdated terminology specific to radiation therapy services and require such services to establish and maintain procedures for handling emergency cardiac care; 2) make minor changes that ensure consistency with the Ohio Revised Code and further clarify the rules; and 3) correct grammar, spelling, and citation errors.

At the hearings, people affected by the proposed actions may appear and be heard in person, by their 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. Persons intending to testify are encouraged to pre-register by writing Kaye Norton, Office of the General Counsel, Ohio Department of Health, 246 North High Street, Columbus, Ohio 43215, by telephoning (614) 466-4882, or by e-mail to Kaye.norton@odh.ohio.gov.

Copies of the proposed rules are available on the Register of Ohio website (ODH has a link to that website at www.odh.ohio.gov/rules/pending.aspx) or from Ms. Norton. Please FAX [(614) 728-7813], mail, or e-mail any written comments to Ms. Norton before 9:00 a.m. on April 3, 2008.

February 29, 2008