

NOTICE OF PUBLIC HEARING

The Ohio Bureau of Workers' Compensation will hold a public hearing on Friday, October 8, 2004, at 10:00 a.m., in Room H, 3rd Floor, 30 West Spring Street, Columbus, Ohio 43215, to consider the following:

Amendment of the following Bureau rules for the purpose as shown below:

4123-17-01 Annual rate revision, method of adoption, effective date, publication.

The changes reflect the replacement of the Workers' Compensation Board by the Workers' Compensation Oversight Commission, and other changes relating to rule filing procedures.

4123-17-07 Officers of corporations, partnerships and sole proprietorships, an individual incorporated as a corporation, family farm corporations, and ordained ministers.

The amendments include an individual incorporated as a corporation along with sole proprietors, partnerships, limited partnerships and officers of family farm corporations as employer types that are not required to report the officer/owner payroll and pay premiums. The individual incorporated as a corporation may elect coverage for workers' compensation purposes.

Rescissions of the following Bureau rules for the purpose as shown below:

4123-17-15 Staff leasing/professional employer arrangements.

This rule described the workers' compensation premium treatment of professional employer organization or staff leasing employers. The rule is replaced by new rule 4123-17-15.

4123-17-31 Occupational safety loan program.

This rule is no longer needed since §4121.47 and §4121.48, which created this program, were amended or repealed in H.B. 75, the BWC budget bill of 2001.

Adoption of the following Bureau rules for the purpose as shown below:

4123-17-15 Professional employer organization (PEO) agreements.

This rule replaces prior rule 4123-17-15 to implement H.B. 183 pertaining to professional employer organizations and workers' compensation coverage. The rule provides that a PEO doing business in Ohio will be required to register annually with BWC; that a PEO shall provide security in the form of a bond or letter of credit assignable to BWC, or in the alternative make monthly prospective payments of premiums and assessments to

BWC or submit proof certification by a nationally recognized organization that certifies professional employer organizations; that a PEO shall report both PEO and client employer claim information to BWC for rate calculations; that a PEO shall notify client employers of a BWC refund or rebate; that all PEO client employers shall be amenable to Ohio jurisdictional requirements; and that BWC may deny or revoke the registration of any PEO that does not comply with Chapter 4125. of the Revised Code or this rule.

The full and complete text of the proposed rules is available at the Register of Ohio (<http://www.registerofohio.state.oh.us>) and is on file in the office of the Secretary of State (180 East Broad Street, 15th Floor, Columbus, Ohio), the Legislative Service Commission (77 South High Street, 9th Floor, Columbus, Ohio), the office of the Joint Committee on Agency Rule Review (77 South High Street, Concourse Level, Columbus, Ohio), the Bureau of Workers' Compensation, Legal Operations (30 West Spring Street, 26th Floor, Columbus, Ohio), the Bureau of Workers' Compensation (30 West Spring Street, Columbus, Ohio, 1st Floor, Hearing Rooms), and all service offices of the Bureau.

All interested parties will be given an opportunity to be heard. Any interested party unable to attend the public hearing may submit written comments to the undersigned prior to the public hearing.

THE OHIO BUREAU OF WORKERS' COMPENSATION

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