

PUBLIC HEARING NOTICE
OHIO DEPARTMENT OF JOB AND FAMILY SERVICES

DATE: July 30, 2009
TIME: 1:30 p.m.
LOCATION: Room 1932, Vern Riffe Center, 77 South High Street,
Columbus, Ohio 43215

Pursuant to sections 5111.02 and 5111.85 and Chapter 119. of the Ohio Revised Code, the director of the Ohio Department of Job and Family Services gives notice of the department's intent to consider the rescission and adoption of the rules as identified below and of a public hearing thereon.

5101:3-12-28, entitled Enrollment Process for ODJFS-administered Waiver Service Provider, is being rescinded so that it can be renumbered 5101:3-45-04. A five-year review was completed in accordance with section 119.032 of the Ohio Revised Code. This rule sets forth the enrollment process for ODJFS-administered waiver service providers, and sets forth provider enrollment criteria. There are no substantive changes between rules 5101:3-12-28 and 5101:3-45-04.

5101:3-12-29, entitled Consumer Incident Reporting, is being rescinded so that it can be renumbered 5101:3-45-05. A five-year review was completed in accordance with section 119.032 of the Ohio Revised Code. This rule sets forth the standards and procedures for operating the incident management, investigation and responses system (IMIRS) for ODJFS-administered waivers. The rule applies to ODJFS and ODJFS-administered waiver service providers. ODJFS may designate other agencies or entities to perform one or more investigatory functions set forth in this rule. There are no substantive changes between rules 5101:3-12-29 and 5101:3-45-05.

5101:3-12-30, entitled Monitoring Under ODJFS-administered Home and Community-based Service Waivers, is being rescinded so that it can be renumbered 5101:3-45-06. A five-year review was completed in accordance with section 119.032 of the Ohio Revised Code. This rule sets forth the monitoring requirements and procedures under ODJFS-administered home and community-based service waivers. There are no substantive changes between rules 5101:3-12-30 and 5101:3-45-06.

5101:3-45-04, entitled ODJFS-administered Waiver Program: Provider Enrollment Process, is being proposed for adoption to replace rule 5101:3-12-28. This rule sets forth the enrollment process for ODJFS-administered waiver service providers, and sets forth provider enrollment criteria. There are no substantive changes between rules 5101:3-45-04 and 5101:3-12-28.

5101:3-45-05, entitled ODJFS-administered Waiver Program: Consumer Incident Management, Investigation and Response System (IMIRS), is being proposed for adoption to replace rule 5101:3-12-29. This rule sets forth the standards and procedures

for operating the incident management, investigation and responses system (IMIRS) for ODJFS-administered waivers. The rule applies to ODJFS and ODJFS-administered waiver service providers. ODJFS may designate other agencies or entities to perform one or more investigatory functions set forth in this rule. There are no substantive changes between rules 5101:3-45-05 and 5101:3-12-29.

5101:3-45-06, entitled ODJFS-administered Waiver Program: Structural Reviews of Providers and the Provider Occurrence Process, is being proposed for adoption to replace rule 5101:3-12-30. This rule sets forth the monitoring requirements and procedures under ODJFS-administered home and community-based service waivers. There are no substantive changes between rules 5101:3-45-06 and 5101:3-12-30.

Copies of the proposed rules are available, without charge, to any person affected by the rules at the address listed below. The rules are also available on the internet at <http://www.registerofohio.state.oh.us/>. A public hearing on the proposed rules will be held at the date, time, and location listed at the top of this notice. Either written or oral testimony will be taken at the public hearing. Additionally, written comments submitted or postmarked no later than the date of the public hearing will be treated as testimony.

Requests for a copy of the proposed rules or comments on the rules should be submitted by mail to the Ohio Department of Job and Family Services, Office of Legal Services, 30 East Broad Street, 31st Floor, Columbus, Ohio 43215-3414, by fax at (614) 752-8298, or by e-mail at rules@jfs.ohio.gov.