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Hearing Date: 7/5/2023

Today's Date: 7/7/2023

Agency: Opportunities for Ohioans with Disabilities

Rule Number(s): Ohio Admin.Code 3304-2-52 and 3304-2-58

If no comments at the hearing, please check the box. ☐

List organizations or individuals giving or submitting testimony before, during or after the public hearing and indicate the rule number(s) in question.

1. Disability Rights of Ohio - Kerstin Sjoberg, 3304-2-52 and 3304-2-58
2. Ohio Association of County Boards of DD – Monica Juenger, 3304-2-52

Hearing Summary Report

Consolidated Summary of Comments Received

Please review all comments received and complete a consolidated summary paragraph of the comments and indicate the rule number(s).

3304-2-52:

1. Disability Rights of Ohio expressed concern regarding the removal of the language “comparable services and benefits do not include awards and scholarships based on merit.”
2. Ohio Association of County Boards of DD suggested that the definition of “comparable benefits” include cross-references to DODD code, for the purpose of stating that comparable benefits are not impacted by home and community based waiver services administered by county boards of developmental disabilities.
3. Ohio Association of County Boards of DD expressed concern about Section (I) of the rule referencing and (I)(1), however, (I)(1) does not appear in the rule.

3304-2-58:

1. Disability Rights of Ohio suggested removal of the requirement that training lead to a “degree, certificate or other recognized educational credential” so that OOD can pay for Comprehensive Transition Programs for Students with Intellectual Disabilities (CTPs), Transition Postsecondary Education Programs for Students with Intellectual Disability (TPSIDs), and other employment preparation programs for individuals with disabilities offered at postsecondary institutions are covered by this rule.

Hearing Summary Report

Incorporated Comments into Rule(s)

Indicate how comments received during the hearing process were incorporated into the rule(s). If no comments were incorporated, explain why not.

3304-2-52:

1. The language “comparable services and benefits do not include awards and scholarships based on merit” will remain removed from the rule, but OOD appreciates the comment. The removal of the language reduces confusion in what reduces the amount paid by the amounts of scholarships based on merit—language that is already provided for in 3304-2-58.
2. OOD appreciates the suggestion, but will not be making the change. The current definition references “federal, state or local public agencies , by health insurance or by employee benefits; **are available to the individual at the time needed to ensure the progress towards achieving the employment outcome**”. OOD and the Ohio Department of Developmental Disabilities have established joint guidance on referrals for vocational rehabilitation services that addresses the sequencing of funding between OOD and home and community based waiver services. OOD plans to engage in further discussion with the Ohio Department of Developmental Disabilities and the Ohio Association of County Boards of Developmental Disabilities to promote awareness and clarity on this joint guidance.
3. OOD appreciates the suggestion and agrees to modify section (l) for clarity.

3304-2-58:

1. OOD appreciates the comment, but will not be making the suggested change. OOD supports students participating in Comprehensive Transition Programs for Students with Intellectual Disabilities (CTPs), Transition Postsecondary Education Programs for Students with Intellectual Disability (TPSIDs), and other employment preparation programs for individuals with disabilities, in accordance with OOD policies and procedures, by providing services under OOD’s Vocational Rehabilitation Fee Schedule as outlined in Appendix A of 3304-2-52. OOD will continue to partner with Ohio’s Comprehensive Transition Programs for Students with Intellectual Disabilities (CTPs), Transition Postsecondary Education Programs for Students with Intellectual Disability (TPSIDs), and other employment preparation programs for individuals with disabilities to ensure access to VR services and support these students’ employment goals.