

**Note:** Upload completed document to the Electronic Rule Filing System.

Hearing Date: 8/22/2023

Today's Date: 8/23/2023

Agency: Ohio Department of Aging

Rule Number(s): The hearing was on every rule in Chapter 173-9 of the Administrative Code, but we only received testimony on rule 173-9-05 of the Administrative Code.

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

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

1. Area Agency on Aging, PSA2

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## 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).

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Area Agency on Aging, PSA2 emailed ODA to testify that, because the proposed new version of rule 173-9-05 of the Administrative Code will no longer repeat R.C. §173.38, that it will no longer be clear to a reader of the rule that only a 60-day period exists for conditional hiring unless the reader also reads R.C. §173.38.

## 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.

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On 08/23/2023, ODA emailed Area Agency on Aging, PSA2 to explain that state laws enacted in recent years (R.C. §§ [106.03](#), [121.95](#), and [121.951](#)) require state agencies to reduce duplication of state and federal laws in rules and to reduce the use of regulatory restriction words (*e.g., shall*), which ODA is primarily reducing by no longer duplicating state and federal laws in our rules. Therefore, we cannot continue to duplicate (*i.e., repeat or restate*) all of R.C. §173.38 in our rules. However, we agree with the sentiment of your comment and made a revised filing of rule 173-9-05 of the Administrative Code to indicate that the conditional period may last up to 60 days.