



## Hearing Summary Report

**Hearing Date:** 11/01/2023

**Today's Date:** 11/09/2023

**Rule Numbers:**

Amend: 5123-2-08, 5123-2-09, 5123-8-01, 5123-9-01, 5123-9-07, 5123-9-11, 5123-9-30,  
5123-9-31, 5123-9-32, 5123-9-33

Rescind: 5123-9-34

Adopt: 5123-9-34

If no comments at 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.

**Rules Generally:** Greg Carter

**5123-2-08:** Jennifer Brumfield, Amy Crain, Tracy Cukierski, Amy Davis, Valerie DeGreen, Kristina Dodus, Annie Duncan, Michelle Elder, Cheryl Elliott, Chris Farnsworth, Cathy Handy, Tia Henderson, Beth Herman, Tere Hummel, Dona Jagger, Nathan Jensen, Janice Kentner, Toni King, Carrie Martin, Cherie McCann, Janice Molesky, Denzel Moore, Marcy Mullins, Cindy Murray, Claudia Rode, Leyane Schaefer, Amy Schleich, Jackie Seavolt, Laurie Simmons, Lindsey Sodano, Karen Sprankle, Debra Stepp, Mary Stolz, Kelly Sveda, Theresa Sweeny, Toni Wisher, Zachary Wisher, Lois Yaw, backtoserotkin@gmail.com, bspencer5691@gmail.com, jhammock2@roadrunner.com, motels.mace-0s@icloud.com

**5123-9-07:** Christine Brown

**5123-9-11:** Amy Crain, Tracy Cukierski, Amy Davis, Valerie DeGreen, Kristina Dodus, Annie Duncan, Michelle Elder, Cheryl Elliott, Chris Farnsworth, Cathy Handy, Tia Henderson, Beth Herman, Tere Hummel, Dona Jagger, Janice Kentner, Toni King, Caroline Lahrmann, Carrie Martin, Tim and Melinda Martin, Cherie McCann, Janice Molesky, Marcy Mullins,

Cindy Murray, Claudia Rode, Amy Schleich, Jackie Seavolt, Laurie Simmons, Lindsey Sodano, Karen Sprankle, Debra Stepp, Mary Stolz, Kelly Sveda, Theresa Sweeny, Toni Wisher, Zachary Wisher, Lois Yaw, backtoserotkin@gmail.com, bspencer5691@gmail.com, jhammock2@roadrunner.com, motels.mace-0s@icloud.com

**5123-9-30, 5123-9-32, 5123-9-33, 5123-9-34:** Carey Bates

**5123-9-33:** Amy Crain, Tracy Cukierski, Amy Davis, Valerie DeGreen, Kristina Dodus, Annie Duncan, Michelle Elder, Cheryl Elliott, Chris Farnsworth, Cathy Handy, Tia Henderson, Beth Herman, Tere Hummel, Dona Jagger, Janice Kentner, Toni King, Charlotte Law, Carrie Martin, Cherie McCann, Janice Molesky, Marcy Mullins, Cindy Murray, Karen Myers, Beth Packo, Claudia Rode, Amy Schleich, Jackie Seavolt, Laurie Simmons, Lindsey Sodano, Karen Sprankle, Debra Stepp, Mary Stolz, Kelly Sveda, Theresa Sweeny, Toni Wisher, Zachary Wisher, Lois Yaw, backtoserotkin@gmail.com, bspencer5691@gmail.com, jhammock2@roadrunner.com, motels.mace-0s@icloud.com

#### **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).**

**Rules Generally:** One person suggested that a family willing and able to care for their family member with developmental disabilities should be the first choice in the process and the process must be simple.

**5123-2-08:** Thirty-nine persons suggested adding a provision that expressly permits agency providers to serve adult relatives of the agency owner and/or Director of Operations. One person suggested that an agency provider should be permitted to serve the minor child of the agency owner. One person suggested adding provisions to permit an agency's Director of Operations to provide written confirmation of his or her high school diploma/GED and to clarify that a Director of Operations does not need to live in Ohio. One person expressed appreciation for being permitted to be the paid caregiver for his wife.

**5123-9-07:** One person suggested the rule needed to specifically address the Self-Directed Transportation service.

**5123-9-11:** Thirty-nine persons suggested the rule does not align with Ohio Department of Medicaid proposed rule 5160-44-32. One person suggested the rule is out of compliance with federal statutes and regulations.

**5123-9-30, 5123-9-32, 5123-9-33, 5123-9-34:** One person suggested the rules need to be more precise regarding the effective dates for new payment rates.

**5123-9-33:** Forty persons expressed appreciation for new provisions that exempt some individuals from participation in Shared Living. One person suggested that the Department must permit the Homemaker/Personal Care service to be provided on the same day as Shared Living (as was permitted during the COVID-19 state of emergency).

**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.**

The Department revised rules 5123-9-30, 5123-9-32, 5123-9-33, and 5123-9-34 to more precisely label the payment rates in effect January 1, 2024 through June 30, 2024.