



## Common Sense Initiative

**Mike DeWine**, Governor  
**Jon Husted**, Lt. Governor

**Sean McCullough**, Director

### MEMORANDUM

**TO:** Matthew Lampke, Opportunities for Ohioans with Disabilities

**FROM:** Jacob Ritzenthaler, Regulatory Policy Advocate

**DATE:** August 9, 2021

**RE:** **CSI Review – Vocational Rehabilitation Program Services (OAC 3304-2-52)**

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On behalf of Lt. Governor Jon Husted, and pursuant to the authority granted to the Common Sense Initiative (CSI) office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

#### Analysis

This rule package consists of one amended rule proposed by Opportunity for Ohioans with Disabilities (OOD) as part of the statutory five-year review process. This rule package was submitted to the CSI Office on June 8, 2021, and the public comment period was held open through June 18, 2021. Unless otherwise noted below, this recommendation reflects the version of the proposed rule filed with the CSI Office on June 8, 2021.

Ohio Administrative Code 3304-2-52 establishes requirements for services under the Vocational Rehabilitation Program, including charging and paying for services. The appendix to the rule includes descriptions of the services provided through the program and fee schedules. The appendix is amended to introduce a new service, "Setup for Technology Access Readiness Training (START UP)."

During early stakeholder outreach, OOD reviewed the proposed rule with stakeholders and providers. The proposed change to include START UP services was suggested by stakeholders to address the need for technology support. OOD held meetings with the Ohio Association of Goodwill Industries, Ohio Provider Resource Association, and Ohio Council. Stakeholders

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expressed support for the proposed changes. During the CSI public comment period, OOD received comments from two stakeholders and provided its response to CSI on July 20, 2021. One stakeholder suggested providing technology support services through the current on-the-job supports service. In response, OOD deferred to the numerous comments received in support of making START UP a distinct service. One comment suggested revising the cancellation policy for interpreting services, stating that the timeframe is too short. OOD did not make changes based on this comment but noted that the suggestion will be discussed in future meetings.

The business community impacted by the rule includes all providers seeking reimbursement for services. The adverse impact created by the rule is primarily the administrative time and effort spent documenting the provision of services. OOD states that the burden created by the rule is justified in creating procedures for individuals with disabilities to obtain services. OOD also notes that the amendments to the rule were requested by over 100 providers to provide needed services.

### **Recommendations**

Based on the information above, the CSI Office has no recommendations on this rule package.

### **Conclusion**

The CSI Office concludes that Opportunities for Ohioans with Disabilities should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review