Ohio | Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Sean McCullough, Director

MEMORANDUM

TO: Tom Simmons, Ohio Department of Aging

FROM: Jacob Ritzenthaler, Business Advocate

DATE: **October 1, 2021**

RE: **CSI Review – Senior Facilities Program (OAC 173-11-03)**

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This rule package consists of one new rule that replaces one rescinded rule proposed by the Ohio Department of Aging (Department). This rule package was submitted to the CSI Office on August 24, 2021, and the public comment period was held open through September 6, 2021. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on August 24, 2021.

Ohio Administrative Code (OAC) 173-11-03 establishes the application process for the Senior Facilities Program (Program), including requirements for notifying applicants, submitting applications, and application review. The rule is being replaced by a new rule of the same number that requires the Department to create rules managing the Program upon future funding. The Department notes that the Program has not been funded since 2001.

During early stakeholder outreach, the Department sent the proposed rule to industry stakeholders for feedback. No comments were received during that time or during the CSI public comment period.

The business community impacted by this rule includes counties, townships, municipal corporations, existing senior centers, and local non-profit organizations. The adverse impact created by the rule is primarily the need for organizations to apply for funding through the Program, which would require the creation of new rules to distribute funding. The Department states that the rule is necessary to comply with statute governing the Senior Facilities Program but acknowledges that the Program has not been active for some time.

Recommendations

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

Conclusion

The CSI Office concludes that the Department should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.