



Common Sense Initiative

Mike DeWine, Governor
Jim Tressel, Lt. Governor

Joseph Baker, Director

MEMORANDUM

TO: Tom Simmons, Ohio Department of Aging

FROM: Jacob Ritzenthaler, Business Advocate

DATE: August 11, 2025

RE: CSI Review – OAA Nutrition Program: Home-Delivered Meals (OAC 173-4-05.2)

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 Department as provided for in ORC 107.54.

Analysis

This rule package consists of one amended rule proposed by the Ohio Department of Aging (Department) as part of the statutory five-year review process. This rule package was submitted to the CSI Office on July 14, 2025, and the public comment period was held open through July 27, 2025. Unless otherwise noted below, this recommendation reflects the version of the proposed rule filed with the CSI Office on July 14, 2025.

Ohio Administrative Code 173-4-05.2 establishes requirements for home-delivered meal projects with Older Americans Act (OAA) funding through an Area Agency on Aging (AAA) provider agreement. The rule is amended to state that meals may be delivered by home delivery, pick-up, carry-out, drive-through, or similar methods. The rule is also amended to allow home-delivered meal providers to encourage participation in congregate dining and other health-and-wellness activities.

During early stakeholder outreach, the Department sent the rule to industry stakeholders for feedback,

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including the Academy of Senior Health Sciences, Carroll County Council on Aging, Comfort Keepers, Guernsey County Senior Citizens Center, Kno-Ho-Co Ashland Community Action Commission, LeadingAge Ohio, LifeCare Alliance, the Ohio Association of Area Agencies on Aging, the Ohio Association of Senior Centers, the Ohio Council for Home Care and Hospice, the Ohio Health Care Association, Ohio Jewish Communities, Preble County Senior Center, Senior Resource Connection, the State Long-Term Care Ombudsman, and United Senior Services. During that time, the Department encouraged AAAs that had concerns about food safety following consumer pick-up to consider options before allowing pick-up or carry-out options for service delivery. No comments were received during the CSI public comment period.

The business community impacted by the rule includes all providers with an AAA-provider agreement to be paid with OAA funds to provide home-delivered meal services. The adverse impacts created by the rule include complying with service availability requirements, developing emergency preparedness plans, implementing quality assurance evaluations, and reporting information for delivery verification. The Department states that the adverse impacts are necessary to ensure the health and safety of older Americans.

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 rule with the Joint Committee on Agency Rule Review.