



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 – Older Americans Act: Consumer Contributions (OAC 173-3-07)**

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 the Ohio Department of Aging (Department). This rule package was submitted to the CSI Office on August 4, 2021, and the public comment period was held open through August 17, 2021. Unless otherwise noted below, this recommendation reflects the version of the proposed rule filed with the CSI Office on August 4, 2021.

Ohio Administrative Code 173-3-07 establishes requirements for consumer contributions towards services provided through the Older Americans Act. The rule requires that individuals be allowed to make voluntary contributions toward the cost of services. The rule is amended to remove language that is inconsistent with federal statute, specifically requirements that exempt transportation services from cost sharing and necessitate a waiver to coordinate services with another system.

During early stakeholder outreach, the Department sent the rule to industry stakeholders for feedback, including service providers and health care associations. No comments were received during that time or during the CSI public comment period.

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The business community impacted by the rule includes all providers that maintain an area agency on aging provider agreement. The adverse impact created by the rule is the administrative time and effort spent maintaining processes for individuals to make voluntary contributions towards services. The Department states that the rule is necessary to implement federal statute that requires the Department to maintain procedures for voluntary contribution.

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.