



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Joseph Baker, Director

MEMORANDUM

TO: Michael Lynch, Ohio Department of Job and Family Services

FROM: Michael Bender, Business Advocate

DATE: April 4, 2023

RE: **CSI Review – OFA: Rescission of Day Camp Pandemic Rule (OAC 5101:2-18-03.1)**

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 Department as provided for in ORC 107.54.

Analysis

This rule package consists of one rescinded rule proposed by the Ohio Department of Job and Family Services (ODJFS). This rule package was submitted to the CSI Office on February 28, 2023, and the public comment period was held open through March 7, 2023. Unless otherwise noted below, this recommendation reflects the version of the proposed rule filed with the CSI Office on February 28, 2023.

Ohio Administrative Code (OAC) 5101:2-18-03.1 sets forth transitional pandemic procedures for child day camps to be followed during the state of emergency declared by the Governor of Ohio (Governor) as a result of the COVID-19 pandemic. These procedures entail handwashing, face covering, assessing for COVID-19 symptoms, isolation and quarantine protocols, and the reporting of COVID-positive tests to ODJFS and local health departments. The rule is rescinded due to the Governor ending the aforementioned state of emergency via the rescission of Executive Order 2020-01D on June 18, 2021. An appendix to the rule titled “List of COVID-19 Symptoms” is provided and also rescinded.

During early stakeholder outreach, ODJFS put the rule through its clearance process from October

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14-21, 2022, but received no comments during this time period. No comments were received during the CSI public comment period.

The business community impacted by the rule includes child day camps. The adverse impacts created by the rule include requirements for handwashing, face covering, and reporting information. ODJFS states that most health and safety guidelines for child day camp programs are set forth by the American Camp Association and therefore are unaffected by the rescission of this rule.

Recommendations

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

Conclusion

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