

JOINT COMMITTEE ON AGENCY RULE REVIEW
Summary of Rules Filed
From 12/19/2022 To 12/23/2022



Rules Filed On 12/19/2022

1 Department of Aging •

Department Contact: Tom Simmons (614-202-7971)

Total Rules: 11

Original Filing Date: 10/14/2022

Public Hearing: 11/15/2022

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction Ends</u>	<u>Effective Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Yes	Yes	Final Filing		1/1/2023	173-3-01	Older Americans Act: introduction and definitions.
Amendment	Yes	Yes	Final Filing		1/1/2023	173-3-04	Older Americans Act: general requirements for AAA-provider agreements.
Amendment	Yes	Yes	Final Filing		1/1/2023	173-3-05	Older Americans Act: procurement standards.
Rescission	Yes	Yes	Final Filing		1/1/2023	173-3-05.1	Older Americans Act: procurement standards for renewable and multi-year AAA-provider agreements.
Amendment	Yes	Yes	Final Filing		1/1/2023	173-3-06	Older Americans Act: requirements to include in every AAA-provider agreement.
Amendment	Yes	Yes	Final Filing		1/1/2023	173-3-06.2	Older Americans Act: home maintenance and chores.
Amendment	Yes	Yes	Final Filing		1/1/2023	173-3-06.3	Older Americans Act: home modification.
Amendment	Yes	Yes	Final Filing		1/1/2023	173-3-06.4	Older Americans Act: homemaker service.
Amendment	Yes	Yes	Final Filing		1/1/2023	173-3-06.5	Older Americans Act: personal care.
Amendment	Yes	Yes	Final Filing		1/1/2023	173-3-06.6	Older Americans Act: transportation.
Amendment	Yes	Yes	Final Filing		1/1/2023	173-3-09	Older Americans Act: administrative hearings for adversely-affected providers.

2 Department of Aging •

Department Contact: Tom Simmons (614-202-7971)

Click on the rule number in blue above to view the rule in its entirety on the *Register of Ohio* website.

JOINT COMMITTEE ON AGENCY RULE REVIEW
Summary of Rules Filed
From 12/19/2022 To 12/23/2022

Total Rules: 17

Original Filing Date: 10/14/2022

Public Hearing: 11/15/2022

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction Ends</u>	<u>Effective Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Yes	Yes	Final Filing		1/1/2023	173-4-03	Older Americans Act nutrition program: consumer enrollment.
Rescission	Yes	Yes	Final Filing		1/1/2023	173-4-04	Older Americans Act nutrition program: procuring for person direction.
New Rule	Yes	No	Final Filing		1/1/2023	173-4-04	Older Americans Act nutrition program: procuring for person direction.
Amendment	Yes	Yes	Final Filing		1/1/2023	173-4-05	Older Americans Act nutrition program: nutrition projects.
Rescission	Yes	Yes	Final Filing		1/1/2023	173-4-05.1	Older Americans Act nutrition program: congregate dining projects.
New Rule	Yes	No	Final Filing		1/1/2023	173-4-05.1	Older Americans Act nutrition program: congregate dining projects.
Rescission	Yes	Yes	Final Filing		1/1/2023	173-4-05.2	Older Americans Act nutrition program: home-delivered meals projects.
New Rule	Yes	No	Final Filing		1/1/2023	173-4-05.2	Older Americans Act nutrition program: home-delivered meals projects.
Rescission	Yes	Yes	Final Filing		1/1/2023	173-4-05.3	Older Americans Act nutrition program: congregate dining projects based in restaurants or grocery stores.
New Rule	Yes	No	Final Filing		1/1/2023	173-4-05.3	Older Americans Act nutrition program: congregate dining projects based in restaurants or grocery stores.
Amendment	Yes	Yes	Final Filing		1/1/2023	173-4-06	Older Americans Act nutrition program: diet orders.
Amendment	Yes	Yes	Final Filing		1/1/2023	173-4-07	Older Americans Act nutrition program: nutrition counseling.
Amendment	Yes	Yes	Final Filing		1/1/2023	173-4-08	Older Americans Act nutrition program: nutrition education.
Rescission	Yes	Yes	Final Filing		1/1/2023	173-4-09	Older Americans Act nutrition program: nutrition health screening.

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JOINT COMMITTEE ON AGENCY RULE REVIEW
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From 12/19/2022 To 12/23/2022

Amendment No Yes Final Filing 1/1/2023 [5101:4-3-22](#) Food assistance: nonfinancial eligibility standard-social security numbers.

6 Ohio Department of Medicaid • Eligibility

Department Contact: Tommi Potter (614-752-3877)

Total Rules: 3

Original Filing Date: 10/13/2022

Public Hearing:

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction Ends</u>	<u>Effective Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	No	Yes	Final Filing		1/1/2023	5160:1-6-03.1	Medicaid: determining financial eligibility for medical assistance using the special income level.
Amendment	No	Yes	Final Filing		1/1/2023	5160:1-6-07	Medicaid: post-eligibility treatment of income for individuals in medical institutions.
Amendment	No	Yes	Final Filing		1/1/2023	5160:1-6-07.1	Medicaid: post-eligibility treatment of income for individuals receiving services through a home and community-based services (HCBS) waiver or the program of all-inclusive care for the elderly (PACE).

7 Ohio Department of Medicaid • Eligibility

Department Contact: Tommi Potter (614-752-3877)

Total Rules: 2

Original Filing Date: 10/13/2022

Public Hearing:

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction Ends</u>	<u>Effective Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	No	Yes	Final Filing		1/1/2023	5160:1-2-02	Medicaid: income guidelines, calculations, and exclusions.
Amendment	No	Yes	Final Filing		1/1/2023	5160:1-4-06	Medicaid: coverage for individuals in receipt of adoption or foster care assistance.

8 Ohio Department of Medicaid • Eligibility

Department Contact: Tommi Potter (614-752-3877)

Total Rules: 1

Original Filing Date: 10/12/2022

Public Hearing:

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction Ends</u>	<u>Effective Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	No	No	Final Filing		1/1/2023	5160:1-1-01	Medicaid: definitions.

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9 Ohio Department of Medicaid • Eligibility

Department Contact: Tommi Potter (614-752-3877)

Total Rules: 1

Original Filing Date: 10/12/2022

Public Hearing:

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction Ends</u>	<u>Effective Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	No	No	Final Filing		1/1/2023	5160:1-2-11	Medicaid: United States (U.S.) citizenship documentation.

10 Ohio Department of Medicaid • Eligibility

Department Contact: Tommi Potter (614-752-3877)

Total Rules: 1

Original Filing Date: 10/13/2022

Public Hearing:

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction Ends</u>	<u>Effective Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	No	No	Final Filing		1/1/2023	5160:1-4-03	MAGI-based medicaid: coverage for Ribicoff and former foster care children.

11 Ohio Department of Medicaid •

Department Contact: Tommi Potter (614-752-3877)

Total Rules: 2

Original Filing Date: 10/14/2022

Public Hearing: 11/14/2022

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction Ends</u>	<u>Effective Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Yes	Yes	Final Filing		1/1/2023	5160-18-01	Freestanding birth center services.
New Rule	No	No	Final Filing		1/1/2023	5160-18-01	Freestanding birth center services.

12 Ohio Department of Medicaid •

Department Contact: Tommi Potter (614-752-3877)

Total Rules: 1

Original Filing Date: 10/14/2022

Public Hearing: 11/14/2022

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction Ends</u>	<u>Effective Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Yes	Yes	Final Filing		1/1/2023	5160-58-08.4	Appeals and grievances for "MyCare Ohio".

13 Ohio Department of Medicaid •

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JOINT COMMITTEE ON AGENCY RULE REVIEW
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From 12/19/2022 To 12/23/2022

Department Contact: Tommi Potter (614-752-3877)

Total Rules: 1

Original Filing Date: 10/14/2022

Public Hearing: 11/14/2022

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction</u> <u>Ends</u>	<u>Effective</u> <u>Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Yes	No	Final Filing		1/1/2023	5160-1-42.1	Delegated credentialing.

14 Ohio Department of Medicaid •

Department Contact: Tommi Potter (614-752-3877)

Total Rules: 3

Original Filing Date: 10/14/2022

Public Hearing: 11/14/2022

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction</u> <u>Ends</u>	<u>Effective</u> <u>Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Yes	No	Final Filing		1/1/2023	5160-26-02.1	Managed care: termination of enrollment.
Amendment	Yes	Yes	Final Filing		1/1/2023	5160-26-08.4	Managed care: appeal and grievance system.
Amendment	Yes	No	Final Filing		1/1/2023	5160-26-12	Managed care: member co-payments.

15 Ohio Department of Medicaid •

Department Contact: Tommi Potter (614-752-3877)

Total Rules: 1

Original Filing Date: 10/14/2022

Public Hearing: 11/14/2022

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction</u> <u>Ends</u>	<u>Effective</u> <u>Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Yes	No	Final Filing		1/1/2023	5160-58-02.1	MyCare Ohio plans: termination of enrollment.

16 State Racing Commission •

Department Contact: Tanya Boulmetis (614-466-2757)

Total Rules: 1

Original Filing Date: 10/12/2022

Public Hearing: 11/14/2022

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction</u> <u>Ends</u>	<u>Effective</u> <u>Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Yes	Yes	Final Filing		12/29/2022	3769-17-09	Safety helmet and Safety Vest.

Rules Filed On 12/20/2022

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JOINT COMMITTEE ON AGENCY RULE REVIEW
Summary of Rules Filed
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17 Industrial Commission •

Department Contact: Amanda Brown (614-387-3893)

Total Rules: 4

Original Filing Date: 12/7/2022

Public Hearing: 1/11/2023

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction</u> <u>Ends</u>	<u>Effective</u> <u>Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	No	Yes	Revised Filing	3/9/2023		4121-1-01	Notice procedure for the adoption, amendment or rescission of rules.
Amendment	No	Yes	Revised Filing	3/9/2023		4121-1-02	Notice of public meetings.
Amendment	No	Yes	Revised Filing	3/9/2023		4121-1-03	Non-adjudicatory meetings of the industrial commission.
Amendment	No	Yes	Revised Filing	3/9/2023		4121-3-01	Office locations, office hours, and scope of rules.

Rules Filed On 12/21/2022

18 Bureau of Workers' Compensation •

Department Contact: Aniko Nagy (614-466-3293)

Total Rules: 1

Original Filing Date: 10/13/2022

Public Hearing: 11/22/2022

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction</u> <u>Ends</u>	<u>Effective</u> <u>Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Yes	No	Final Filing		1/1/2023	4123-6-36	Enhanced care program.

19 State Dental Board •

Department Contact: Justin Sheridan (614-466-2580)

Total Rules: 3

Original Filing Date: 12/21/2022

Public Hearing: 1/25/2023

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction</u> <u>Ends</u>	<u>Effective</u> <u>Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Yes	Yes	Original Filing	3/9/2023		4715-6-01	Standards and procedures for review of "Ohio Automated Rx Reporting System" (OARRS).

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Amendment	Yes	Yes	Original Filing	3/9/2023	4715-6-02	Prescribing opioid analgesics for acute pain.
Amendment	Yes	Yes	Original Filing	3/9/2023	4715-11-01	Dentists may supervise dental auxiliaries, basic qualified personnel, certified assistants, expanded function dental auxiliary.

Rules Filed On 12/22/2022

20 Accountancy Board •

Department Contact: Donna Oklok (614-728-3004)

Total Rules: 1

Original Filing Date: 12/22/2022

Public Hearing: 1/11/2023

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction</u> <u>Ends</u>	<u>Effective</u> <u>Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Yes	No	Original Filing	3/9/2023		4701-13-02	Public accounting firm registration requirements, renewal deadlines.

21 Bureau of Workers' Compensation •

Department Contact: Aniko Nagy (614-466-3293)

Total Rules: 13

Original Filing Date: 10/17/2022

Public Hearing: 11/22/2022

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction</u> <u>Ends</u>	<u>Effective</u> <u>Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Yes	Yes	Final Filing		1/1/2023	4123-19-01	Definitions.
Amendment	Yes	Yes	Final Filing		1/1/2023	4123-19-03	Where an employer desires to secure the privilege to pay compensation and benefits directly.
Amendment	Yes	Yes	Final Filing		1/1/2023	4123-19-05	Where a self-insuring employer becomes a state insurance fund employer.
Amendment	Yes	Yes	Final Filing		1/1/2023	4123-19-06	Procedures for revocation of self-insuring status.
Amendment	Yes	Yes	Final Filing		1/1/2023	4123-19-08	Renewal of self-insuring employers.
Amendment	Yes	Yes	Final Filing		1/1/2023	4123-19-09	In regard to complaints filed against self-insuring employers under the provisions of section 4123.35 of the Revised Code.
Amendment	Yes	Yes	Final Filing		1/1/2023	4123-19-10	In regard to audits by the bureau.

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Amendment	Yes	Yes	Final Filing	1/1/2023	4123-19-11	Fixing time limits beyond which the failure of a self-insuring employer to provide for the necessary medical examinations and evaluations may not delay a decision on a claim.
Amendment	Yes	Yes	Final Filing	1/1/2023	4123-19-12	Grounds for holding public hearings to evaluate the program for self-insuring employers.
Amendment	Yes	Yes	Final Filing	1/1/2023	4123-19-13	Self-insuring employers evaluation board.
Amendment	Yes	Yes	Final Filing	1/1/2023	4123-19-14	Self-insured review panel.
Amendment	Yes	Yes	Final Filing	1/1/2023	4123-19-15	Assessment for self-insuring employers' guaranty fund.
Amendment	Yes	Yes	Final Filing	1/1/2023	4123-19-16	Self-insured construction projects.

22 Bureau of Workers' Compensation •

Department Contact: Aniko Nagy (614-466-3293)

Total Rules: 1

Original Filing Date: 12/22/2022

Public Hearing:

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction Ends</u>	<u>Effective Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
No Change	Yes	Yes	FYR	3/22/2023		4123-19-03.1	Waiver of certain requirements.

23 Liquor Control • Liquor Control Commission

Department Contact: Dominic Panzera (614-955-2216)

Total Rules: 1

Original Filing Date: 10/17/2022

Public Hearing: 11/17/2022

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction Ends</u>	<u>Effective Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Yes	Yes	Final Filing		1/1/2023	4301:1-1-53	Gambling, gambling devices and promotional contests.

24 Ohio Department of Medicaid •

Department Contact: Tommi Potter (614-752-3877)

Total Rules: 1

Original Filing Date: 10/17/2022

Public Hearing: 11/17/2022

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction Ends</u>	<u>Effective Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
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Amendment No No Final Filing 1/1/2023 [5160-1-60](#) Medicaid payment.

25 Ohio Department of Medicaid •

Department Contact: Tommi Potter (614-752-3877)

Total Rules: 2 Original Filing Date: 10/17/2022 Public Hearing: 11/17/2022

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction Ends</u>	<u>Effective Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	No	No	Final Filing		1/1/2023	5160-27-03	Reimbursement for community behavioral health services.
Amendment	No	No	Final Filing		1/1/2023	5160-59-02	OhioRISE: eligibility and enrollment.

26 State Board of Pharmacy • Controlled Substances and Drugs of Concern

Department Contact: Cameron McNamee (614-466-7322)

Total Rules: 1 Original Filing Date: 12/22/2022 Public Hearing:

<u>Rule Type</u>	<u>CSI</u>	<u>FYR</u>	<u>Action</u>	<u>Jurisdiction Ends</u>	<u>Effective Date</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	No	No	Emergency Filing	4/21/2023	12/22/2022	4729:9-1-01.3	Tianeptine.

End of Weekly Report

If you have any questions, please contact JCARR at the numbers below.