

JOINT COMMITTEE ON AGENCY RULE REVIEW
Summary of Rules Filed
From 3/13/2023 To 3/17/2023



Rules Filed On 3/13/2023

1 Department of Developmental Disabilities •

Department Contact: Becky Phillips (614-644-7393)

Total Rules: 1

Original Filing Date: 1/3/2023

Public Hearing: 2/7/2023

| <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> |
|------------------|------------|------------|---------------|------------------------------------|---------------------------------|---------------------------|--|
| New Rule | Yes | No | Final Filing | | 3/23/2023 | 5123-9-05 | Home and community-based services waivers - retention payments for direct support professionals. |

2 Department of Education •

Department Contact: Brittney Kneisel (614-203-5481)

Total Rules: 2

Original Filing Date: 1/5/2023

Public Hearing: 2/14/2023

| <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> |
|------------------|------------|------------|---------------|------------------------------------|---------------------------------|----------------------------|---|
| Rescission | No | Yes | Final Filing | | 3/23/2023 | 3301-16-03 | Community service learning special certification. |
| New Rule | No | No | Final Filing | | 3/23/2023 | 3301-16-03 | Community service learning special certification. |

3 Department of Education •

Department Contact: Brittney Kneisel (614-203-5481)

Total Rules: 2

Original Filing Date: 1/5/2023

Public Hearing: 2/14/2023

| <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 | Final Filing | | 3/23/2023 | 3301-23-44 | Temporary and substitute licenses. |
| Amendment | No | Yes | Final Filing | | 3/23/2023 | 3301-69-02 | Excuses from school attendance. |

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

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From 3/13/2023 To 3/17/2023

4 Department of Higher Education •

Department Contact: Kathryn Shipley (614-387-1023)

Total Rules: 6

Original Filing Date: 3/13/2023

Public Hearing: 4/14/2023

| <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 | Original Filing | 5/17/2023 | | 3333-1-05 | Standards and processes for consideration of educator preparation programs of study. |
| Amendment | Yes | Yes | Original Filing | 5/17/2023 | | 3333-1-08 | Standards and processes for issuance of certificate of authorization under section 1713.03 of the Revised Code. |
| Amendment | No | Yes | Original Filing | 5/17/2023 | | 3333-1-09.1 | The "Ohio College Opportunity Grant" program. |
| New Rule | No | No | Original Filing | 5/17/2023 | | 3333-1-09.2 | The "Ohio College Opportunity Grant" program supplemental grant. |
| Amendment | Yes | Yes | Original Filing | 5/17/2023 | | 3333-1-13 | Fees for issuance of certificates of authorization and related activity. |
| Amendment | No | Yes | Original Filing | 5/17/2023 | | 3333-1-90 | Course and program sharing network. |

5 Ohio Department of Medicaid • Eligibility

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

Total Rules: 3

Original Filing Date: 3/13/2023

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 | Original Filing | 5/17/2023 | | 5160:1-3-01 | Medicaid: coverage for the aged, blind, or disabled. |
| Amendment | No | Yes | Original Filing | 5/17/2023 | | 5160:1-3-02.4 | Medicaid: coverage for the categorically needy. |
| Amendment | No | Yes | Original Filing | 5/17/2023 | | 5160:1-3-02.5 | Medicaid: supplemental security income (SSI) recipients qualifying under section 1619 of the Social Security Act for continued medical assistance coverage. |

6 Ohio Department of Medicaid •

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

Total Rules: 2

Original Filing Date: 3/13/2023

Public Hearing: 4/13/2023

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JOINT COMMITTEE ON AGENCY RULE REVIEW
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From 3/13/2023 To 3/17/2023

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|------------------|------------|------------|-----------------|--------------------------|-----------------------|-----------------------------|--|
| Rescission | No | Yes | Original Filing | 5/17/2023 | | 5160-1-19.1 | References to the "International Classification of Diseases (ICD)". |
| Rescission | No | Yes | Original Filing | 5/17/2023 | | 5160-1-19.9 | Inquiries regarding the status of claims [except for services provided through a medicaid managed care program]. |

7 Ohio Department of Medicaid •

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

Total Rules: 1

Original Filing Date: 3/13/2023

Public Hearing: 4/13/2023

| <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 | Original Filing | 5/17/2023 | | 5160-3-90 | Authorization for the Ohio department of developmental disabilities (DODD) to administer the medicaid program for services provided by intermediate care facilities for individuals with intellectual disabilities (ICFs-IID). |

8 Ohio Department of Medicaid •

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

Total Rules: 1

Original Filing Date: 11/4/2022

Public Hearing: 12/5/2022

| <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> |
|------------------|------------|------------|---------------|--------------------------|-----------------------|---------------------------|---|
| New Rule | Yes | No | Final Filing | | 3/23/2023 | 5160-3-33 | Nursing facilities (NFs): Reimbursement of NF relief payments upon sale of business or bed license. |

9 Ohio Department of Medicaid •

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

Total Rules: 2

Original Filing Date: 3/13/2023

Public Hearing: 4/13/2023

| <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 | No | Yes | Original Filing | 5/17/2023 | | 5160-1-05.1 | Payment for "Medicare Part C" cost sharing. |

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New Rule No No Original Filing 5/17/2023 [5160-1-05.1](#) Payment for "Medicare Part C" cost sharing.

Rules Filed On 3/14/2023

10 Department of Health • Radiation Control

Department Contact: Alicyn Carrel (614-752-8451)

Total Rules: 2 Original Filing Date: 2/27/2023 Public Hearing: 3/30/2023

| <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 | Revised Filing | 5/3/2023 | | 3701:1-43-01 | Definitions. |
| Amendment | Yes | Yes | Revised Filing | 5/3/2023 | | 3701:1-43-07 | Exemptions. |

11 Department of Health • Radiation Control

Department Contact: Alicyn Carrel (614-752-8451)

Total Rules: 1 Original Filing Date: 2/27/2023 Public Hearing: 3/30/2023

| <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 | Revised Filing | 5/3/2023 | | 3701:1-43-07 | Exemptions. |

12 Department of Health • Radiation Control

Department Contact: Alicyn Carrel (614-752-8451)

Total Rules: 1 Original Filing Date: 2/27/2023 Public Hearing: 3/30/2023

| <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 | Revised Filing | 5/3/2023 | | 3701:1-37-01 | Definitions. |

13 Department of Mental Health and Addiction Services •

Department Contact: Emily Henry (614-752-8365)

Total Rules: 3 Original Filing Date: 3/14/2023 Public Hearing: 4/14/2023

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|------------------|------------|------------|-----------------|------------------------------------|---------------------------------|----------------------------|---------------------------------------|
| Amendment | Yes | No | Original Filing | 5/18/2023 | | 5122-40-05 | Personnel. |
| Amendment | Yes | No | Original Filing | 5/18/2023 | | 5122-40-07 | Program policies and patient records. |
| Amendment | Yes | No | Original Filing | 5/18/2023 | | 5122-40-15 | Medication units. |

14 Department of Transportation • Division of Highways

Department Contact: Brianne Brown (614-466-7440)

Total Rules: 5

Original Filing Date: 3/14/2023

Public Hearing:

| <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> |
|------------------|------------|------------|---------------|------------------------------------|---------------------------------|-----------------------------|---|
| No Change | No | Yes | FYR | 6/12/2023 | | 5501:2-5-01 | General provisions. |
| No Change | No | Yes | FYR | 6/12/2023 | | 5501:2-5-02 | General relocation requirements. |
| No Change | No | Yes | FYR | 6/12/2023 | | 5501:2-5-03 | Payments for moving and related expenses. |
| No Change | No | Yes | FYR | 6/12/2023 | | 5501:2-5-04 | Replacement housing payments. |
| No Change | No | Yes | FYR | 6/12/2023 | | 5501:2-5-05 | Mobile homes. |

15 State Board of Pharmacy • Terminal Distributors of Dangerous Drugs

Department Contact: Kylene Johnson (6144669091)

Total Rules: 1

Original Filing Date: 3/8/2023

Public Hearing: 4/11/2023

| <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 | Revised Filing | 5/12/2023 | | 4729:5-10-03 | Donating drugs. |

Rules Filed On 3/15/2023

16 Department of Insurance •

Department Contact: Tina Chubb ((614) 728-1044)

Total Rules: 2

Original Filing Date: 3/15/2023

Public Hearing: 4/17/2023

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|------------------|------------|------------|-----------------|--------------------------|-----------------------|---------------------------|---|
| Amendment | Yes | No | Original Filing | 5/19/2023 | | 3901-3-02 | Regulation and registration of insurers under the Insurance Holding Company Regulatory Act. |
| Amendment | Yes | No | Original Filing | 5/19/2023 | | 3901-3-03 | Transactions subject to prior notice - notice filing. |

17 Department of Job and Family Services • Division of Social Services

Department Contact: Michael Lynch (614-466-4605)

Total Rules: 1 Original Filing Date: 3/6/2023 Public Hearing: 4/12/2023

| <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 | Revised Filing | 5/10/2023 | | 5101:2-47-05 | Title XIX medicaid coverage for Title IV-E foster care maintenance (FCM) recipients in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA). |

18 Department of Rehabilitation and Correction •

Department Contact: Ashley E. Parriman ((614) 752-1769)

Total Rules: 2 Original Filing Date: 3/15/2023 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> |
|------------------|------------|------------|-----------------|--------------------------|-----------------------|---------------------------|--------------------------|
| Rescission | No | Yes | Original Filing | 5/19/2023 | | 5120-9-06 | Inmate rules of conduct. |
| New Rule | No | No | Original Filing | 5/19/2023 | | 5120-9-06 | Inmate rules of conduct. |

19 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 Ends</u> | <u>Effective Date</u> | <u>Rule Number</u> | <u>Rule Title</u> |
|------------------|------------|------------|---------------|--------------------------|-----------------------|---------------------------|--|
| Amendment | No | Yes | Final Filing | | 3/25/2023 | 4121-1-01 | Notice procedure for the adoption, amendment or rescission of rules. |
| Amendment | No | Yes | Final Filing | | 3/25/2023 | 4121-1-02 | Notice of public meetings. |

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JOINT COMMITTEE ON AGENCY RULE REVIEW
Summary of Rules Filed
From 3/13/2023 To 3/17/2023

Department Contact: Michael Lynch (614-466-4605)

Total Rules: 4

Original Filing Date: 1/6/2023

Public Hearing: 2/7/2023

| <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 | | 4/1/2023 | 5101:6-4-01 | State hearings: continuation of benefits when a state hearing is requested. |
| Amendment | Yes | Yes | Final Filing | | 4/1/2023 | 5101:6-5-01 | State hearings: procedures prior to the state hearing. |
| Amendment | Yes | Yes | Final Filing | | 4/1/2023 | 5101:6-6-01 | State hearings: scheduling and attendance. |
| Amendment | Yes | Yes | Final Filing | | 4/1/2023 | 5101:6-7-03 | State hearings: implementation of the hearing decision. |

24 Department of Job and Family Services • Hearings

Department Contact: Michael Lynch (614-466-4605)

Total Rules: 13

Original Filing Date: 11/30/2022

Public Hearing: 1/5/2023

| <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 | | 4/1/2023 | 5101:6-1-01 | State hearings: general. |
| Amendment | No | Yes | Final Filing | | 4/1/2023 | 5101:6-2-51 | Notice of interim assistance reimbursement. |
| Amendment | No | Yes | Final Filing | | 4/1/2023 | 5101:6-3-01 | State hearings: grounds for requesting a state hearing. |
| Amendment | No | Yes | Final Filing | | 4/1/2023 | 5101:6-3-02 | State hearings: state hearing requests. |
| Amendment | No | Yes | Final Filing | | 4/1/2023 | 5101:6-5-02 | State hearings: postponement of the state hearing. |
| Amendment | No | Yes | Final Filing | | 4/1/2023 | 5101:6-5-03 | State hearings: denial and dismissal of state hearing requests. |
| Amendment | No | Yes | Final Filing | | 4/1/2023 | 5101:6-6-02 | State hearings: rights and responsibilities of the participants. |
| Amendment | No | Yes | Final Filing | | 4/1/2023 | 5101:6-7-01 | State hearings: state hearing decisions. |
| Amendment | No | Yes | Final Filing | | 4/1/2023 | 5101:6-8-01 | State hearings: administrative appeal of the state hearing decision. |
| Amendment | No | Yes | Final Filing | | 4/1/2023 | 5101:6-9-01 | State hearings: further appeal rights. |

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Total Rules: 1

Original Filing Date: 3/16/2023

Public Hearing:

| <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 | No | Original Filing | 5/20/2023 | | 3309-1-09 | Federal taxation. |

Rules Filed On 3/17/2023

29 Environmental Review Appeals Commission •

Department Contact: Julie A. Slane (614-466-8950)

Total Rules: 3

Original Filing Date: 3/9/2023

Public Hearing:

| <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 | 5/13/2023 | | 3746-11-03 | Written orders. |
| Amendment | No | Yes | Revised Filing | 5/13/2023 | | 3746-11-04 | Expedited decisions. |
| Amendment | No | Yes | Revised Filing | 5/13/2023 | | 3746-15-01 | Notice of public meetings. |

30 School Employees Retirement System •

Department Contact: Joseph Marotta (614-340-2699)

Total Rules: 1

Original Filing Date: 3/16/2023

Public Hearing:

| <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 | 5/20/2023 | | 3309-1-09 | Federal taxation. |

End of Weekly Report

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