

JOINT COMMITTEE ON AGENCY RULE REVIEW
Summary of Rules Filed
From 11/15/2021 To 11/19/2021



Rules Filed On 11/15/2021

1 Attorney General • Charitable Foundation

Department Contact: Corey Jordan (614-387-4269)

Total Rules: 1

Original Filing Date: 11/15/2021

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	No	Yes	FYR	2/13/2022		109:1-1-10	Charitable advisory council.

2 Department of Aging •

Department Contact: Tom Simmons (614-728-2548)

Total Rules: 4

Original Filing Date: 11/15/2021

Public Hearing: 12/22/2021

<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	1/19/2022		173-14-02	Types of representatives.
Amendment	No	Yes	Original Filing	1/19/2022		173-14-04	Hours of professional development required for representatives of the office, certification.
Amendment	No	Yes	Original Filing	1/19/2022		173-14-06	Professional development deadlines.
Amendment	No	Yes	Original Filing	1/19/2022		173-14-07	Professional development curricula.

3 Department of Aging •

Department Contact: Tom Simmons (614-728-2548)

Total Rules: 2

Original Filing Date: 11/15/2021

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>
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No Change	No	Yes	FYR	2/13/2022	173-14-03	Duties of the representatives of the office.
No Change	No	Yes	FYR	2/13/2022	173-14-05	The administration of ombudsman professional development.

4 Development Services Agency • Office of Community Services

Department Contact: Whitney Sullinger (614-728-6668)

Total Rules: 4

Original Filing Date: 9/8/2021

Public Hearing: 10/12/2021

<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		11/25/2021	122:5-3-01	Definitions.
Amendment	Yes	Yes	Final Filing		11/25/2021	122:5-3-02	Criteria for customer eligibility.
Amendment	Yes	Yes	Final Filing		11/25/2021	122:5-3-03	Procedures for verifying customer eligibility.
Amendment	Yes	Yes	Final Filing		11/25/2021	122:5-3-04	Payment and crediting arrangements and responsibilities.

5 Treasurer of State •

Department Contact: Stacie Erb (614-696-5999)

Total Rules: 1

Original Filing Date: 11/15/2021

Public Hearing: 12/17/2021

<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	No	No	Original Filing	1/19/2022		113-30-02	Notice of meetings of the STABLE Account Advisory Board.

Rules Filed On 11/16/2021

6 Bureau of Workers' Compensation •

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

Total Rules: 7

Original Filing Date: 10/15/2021

Public Hearing: 11/15/2021

<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	12/19/2021		4123-17-15	Professional employer organizations.

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Amendment	Yes	No	Revised Filing	12/19/2021	4123-17-15.1	PEO agreements.
Amendment	Yes	No	Revised Filing	12/19/2021	4123-17-15.2	Registration and reporting requirements.
Amendment	Yes	No	Revised Filing	12/19/2021	4123-17-15.4	Financial requirements.
Amendment	Yes	No	Revised Filing	12/19/2021	4123-17-15.5	Self-insuring PEOs.
Amendment	Yes	No	Revised Filing	12/19/2021	4123-17-15.6	Client employer information.
Amendment	Yes	No	Revised Filing	12/19/2021	4123-17-15.7	Denial or revocation of PEO registration.

7 Department of Developmental Disabilities •

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

Total Rules: 8

Original Filing Date: 10/15/2021

Public Hearing: 11/18/2021

<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	12/19/2021		5123-9-13	Home and community-based services waivers - career planning under the individual options, level one, and self-empowered life funding waivers.
Amendment	Yes	No	Revised Filing	12/19/2021		5123-9-14	Home and community-based services waivers - vocational habilitation under the individual options, level one, and self-empowered life funding waivers.
New Rule	Yes	No	Revised Filing	12/19/2021		5123-9-15	Home and community-based services waivers - individual employment support under the individual options, level one, and self-empowered life funding waivers.
New Rule	Yes	No	Revised Filing	12/19/2021		5123-9-16	Home and community-based services waivers - group employment support under the individual options, level one, and self-empowered life funding waivers.
Amendment	Yes	No	Revised Filing	12/19/2021		5123-9-17	Home and community-based services waivers - adult day support under the individual options, level one, and self-empowered life funding waivers.
Amendment	Yes	No	Revised Filing	12/19/2021		5123-9-22	Home and community-based services waivers - community respite under the individual options, level one, and self-empowered life funding waivers.

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JOINT COMMITTEE ON AGENCY RULE REVIEW
Summary of Rules Filed
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Amendment	Yes	No	Revised Filing	12/19/2021	5123-9-30	Home and community-based services waivers - homemaker/ personal care under the individual options and level one waivers.
Amendment	Yes	No	Revised Filing	12/19/2021	5123-9-32	Home and community-based services waivers - participant-directed homemaker/personal care under the individual options, level one, and self-empowered life funding waivers.

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

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

Total Rules: 1

Original Filing Date: 8/17/2021

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	Final Filing		12/1/2021	5101:2-54-01	Multi-system youth.

9 Ohio Department of Medicaid •

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

Total Rules: 1

Original Filing Date: 11/16/2021

Public Hearing: 12/17/2021

<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	Original Filing	1/20/2022		5160-2-04	Coverage of hospital-provided pharmaceutical, dental, vision care, medical supply and equipment, and medically-related transportation services.

10 Ohio Department of Medicaid •

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

Total Rules: 1

Original Filing Date: 11/16/2021

Public Hearing: 12/17/2021

<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	Original Filing	1/20/2022		5160-1-01	Medicaid medical necessity: definitions and principles.

11 Ohio Department of Medicaid •

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

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 11/15/2021 To 11/19/2021

Total Rules: 1

Original Filing Date: 11/16/2021

Public Hearing: 12/17/2021

<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	1/20/2022		5160-19-04	Episode based payments.

12 Ohio Department of Medicaid •

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

Total Rules: 1

Original Filing Date: 11/16/2021

Public Hearing: 12/17/2021

<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	No	No	Original Filing	1/20/2022		5160-10-36	DMEPOS: continuous glucose monitoring systems.

13 Ohio Department of Medicaid •

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

Total Rules: 1

Original Filing Date: 10/15/2021

Public Hearing: 11/15/2021

<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	Revised Filing	12/19/2021		5160-27-03	Reimbursement for community behavioral health services.

14 Public Utilities Commission of Ohio • Utilities

Department Contact: Angela Hawkins (614-466-0122)

Total Rules: 6

Original Filing Date: 11/16/2021

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	Yes	Yes	Original Filing	1/20/2022		4901:1-3-01	Definitions.
Amendment	Yes	Yes	Original Filing	1/20/2022		4901:1-3-02	Purpose and scope.
Rescission	Yes	Yes	Original Filing	1/20/2022		4901:1-3-03	Access to poles, ducts, conduits, and rights-of-way.
New Rule	Yes	No	Original Filing	1/20/2022		4901:1-3-03	Access to poles, ducts, conduits, and rights-of-way.
Amendment	Yes	Yes	Original Filing	1/20/2022		4901:1-3-04	Rates, terms, and conditions for poles, ducts, and conduits.

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JOINT COMMITTEE ON AGENCY RULE REVIEW
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Amendment Yes Yes Original Filing 1/20/2022 [4901:1-3-05](#) Complaints.

15 Public Utilities Commission of Ohio • Utilities

Department Contact: Angela Hawkins (614-466-0122)

Total Rules: 1 Original Filing Date: 11/16/2021 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	Yes	Yes	FYR	2/14/2022		4901:1-3-06	Mediation and arbitration of agreements.

Rules Filed On 11/17/2021

16 Department of Commerce • Bedding and Upholstered Furniture Inspection

Department Contact: Aaron Johnston (614-644-3297)

Total Rules: 1 Original Filing Date: 10/12/2021 Public Hearing: 11/15/2021

<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	Refiled Filing	12/17/2021		4101:6-1-20	Requirements for laboratory designation.

17 Department of Job and Family Services • Apprenticeship Council

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

Total Rules: 1 Original Filing Date: 11/17/2021 Public Hearing: 12/21/2021

<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	1/21/2022		5101:11-6-03	Program activities.

18 State Dental Board •

Department Contact: Zachary Russell (614-644-7674)

Total Rules: 2 Original Filing Date: 10/1/2021 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>
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From 11/15/2021 To 11/19/2021

No Change	Yes	Yes	Withdrawn Final Filing	4715-6-01	Standards and procedures for review of "Ohio Automated Rx Reporting System" (OARRS).
No Change	Yes	Yes	Withdrawn Final Filing	4715-11-01	Dentists may supervise dental auxiliaries, basic qualified personnel, certified assistants, expanded function dental auxiliary.

Rules Filed On 11/18/2021

19 Department of Job and Family Services • Comprehensive Case Management and Employment Program

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

Total Rules: 7

Original Filing Date: 9/10/2021

Public Hearing: 10/14/2021

<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		11/28/2021	5101:14-1-01	Comprehensive case management and employment program: definitions.
Amendment	No	Yes	Final Filing		11/28/2021	5101:14-1-02	Comprehensive case management and employment program: general.
Rescission	No	Yes	Final Filing		11/28/2021	5101:14-1-03	Comprehensive case management and employment program: program plan.
Amendment	No	Yes	Final Filing		11/28/2021	5101:14-1-04	Comprehensive case management and employment program: referral, comprehensive assessment, individual service strategy and individual opportunity plan.
Amendment	No	Yes	Final Filing		11/28/2021	5101:14-1-05	Comprehensive case management and employment program: case management.
Amendment	No	Yes	Final Filing		11/28/2021	5101:14-1-06	Comprehensive case management and employment program: program exit and follow-up services.
Amendment	No	Yes	Final Filing		11/28/2021	5101:14-1-07	Comprehensive case management and employment program: primary performance measures.

20 Ohio Department of Medicaid •

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JOINT COMMITTEE ON AGENCY RULE REVIEW
Summary of Rules Filed
From 11/15/2021 To 11/19/2021

Department Contact: Julie Evers (752-3618)

Total Rules: 1

Original Filing Date: 9/7/2021

Public Hearing: 10/8/2021

<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		11/28/2021	5160-12-08	Registered nurse assessment and registered nurse consultation services.

Rules Filed On 11/19/2021

21 Department of Taxation •

Department Contact: Kerrie Ryan (614-466-1956)

Total Rules: 1

Original Filing Date: 11/19/2021

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>
Rescission	No	Yes	Original Filing	1/23/2022		5703-7-01	Determination of NAICS codes for the Ohio business income deduction.

22 Opportunities for Ohioans with Disabilities • Business Enterprise Program

Department Contact: Debbie M Stevens (614-438-1289)

Total Rules: 29

Original Filing Date: 11/19/2021

Public Hearing: 12/21/2021

<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	Yes	Yes	Original Filing	1/23/2022		3304:1-21-01	Definitions.
New Rule	Yes	No	Original Filing	1/23/2022		3304:1-21-01	Definitions.
Rescission	Yes	Yes	Original Filing	1/23/2022		3304:1-21-02	Eligibility for business enterprise training and licensure.
New Rule	Yes	No	Original Filing	1/23/2022		3304:1-21-02	Eligibility for business enterprise training and licensure.
Rescission	Yes	Yes	Original Filing	1/23/2022		3304:1-21-03	Facility announcements, application procedure, and selection.

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JOINT COMMITTEE ON AGENCY RULE REVIEW
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New Rule	Yes	No	Original Filing	1/23/2022	3304:1-21-03	Facility and site announcements, application procedure, and selection.
Rescission	Yes	Yes	Original Filing	1/23/2022	3304:1-21-04	Operator's responsibilities, leave and self-employment status.
New Rule	Yes	No	Original Filing	1/23/2022	3304:1-21-04	Operator's responsibilities, leave and self-employment status.
Rescission	Yes	Yes	Original Filing	1/23/2022	3304:1-21-05	Equipment, supplies and initial stock inventory.
New Rule	Yes	No	Original Filing	1/23/2022	3304:1-21-05	Equipment, supplies and initial inventory.
Rescission	Yes	Yes	Original Filing	1/23/2022	3304:1-21-06	Bureau-operator, bureau-temporary-operator agreements.
New Rule	Yes	No	Original Filing	1/23/2022	3304:1-21-06	Bureau-operator, temporary bureau-operator agreements.
Rescission	Yes	Yes	Original Filing	1/23/2022	3304:1-21-07	Closing, opening and transitioning a facility.
New Rule	Yes	No	Original Filing	1/23/2022	3304:1-21-07	Closing, opening and transitioning a facility or site.
Rescission	Yes	Yes	Original Filing	1/23/2022	3304:1-21-08	Reporting service charge and co-pay.
New Rule	Yes	No	Original Filing	1/23/2022	3304:1-21-08	Reporting and set-aside fees.
Rescission	Yes	Yes	Original Filing	1/23/2022	3304:1-21-09	Program penalties.
New Rule	Yes	No	Original Filing	1/23/2022	3304:1-21-09	Program penalties.
Rescission	Yes	Yes	Original Filing	1/23/2022	3304:1-21-10	Operator performance improvement.
New Rule	Yes	No	Original Filing	1/23/2022	3304:1-21-10	Operator performance improvement.
Rescission	Yes	Yes	Original Filing	1/23/2022	3304:1-21-11	Authority and responsibility of BE.
New Rule	Yes	No	Original Filing	1/23/2022	3304:1-21-11	Authority and responsibility of BE.
Rescission	Yes	Yes	Original Filing	1/23/2022	3304:1-21-12	Ohio vendors representative committee.
New Rule	Yes	No	Original Filing	1/23/2022	3304:1-21-12	Ohio vendors representative committee.
Rescission	Yes	Yes	Original Filing	1/23/2022	3304:1-21-13	Disciplinary procedures.
New Rule	Yes	No	Original Filing	1/23/2022	3304:1-21-13	License denial, suspension, or revocation.
Rescission	Yes	Yes	Original Filing	1/23/2022	3304:1-21-14	Grievances.
New Rule	Yes	No	Original Filing	1/23/2022	3304:1-21-14	grievance.
Rescission	Yes	Yes	Original Filing	1/23/2022	3304:1-21-15	Method of notice for public hearings.

23 State Board of Career Colleges and Schools •

Department Contact: John Ware (614-466-7802)

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
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Total Rules: 9

Original Filing Date: 6/25/2021

Public Hearing: 7/28/2021

<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		1/3/2022	3332-1-04.3	Change of school ownership.
Amendment	Yes	Yes	Final Filing		1/3/2022	3332-1-06	Distance education programs.
Amendment	Yes	Yes	Final Filing		1/3/2022	3332-1-09	Student enrollment policies and practices.
Amendment	Yes	Yes	Final Filing		1/3/2022	3332-1-10	Tuition and fees.
Amendment	Yes	Yes	Final Filing		1/3/2022	3332-1-14	Student surveys.
Amendment	Yes	Yes	Final Filing		1/3/2022	3332-1-18	Complaint procedure.
Amendment	Yes	Yes	Final Filing		1/3/2022	3332-1-21	Board meetings.
Amendment	Yes	No	Final Filing		1/3/2022	3332-1-22	Fees for certificate of registration and program authorization.
Amendment	Yes	Yes	Final Filing		1/3/2022	3332-1-26	Off campus learning centers.

End of Weekly Report

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