

JOINT COMMITTEE ON AGENCY RULE REVIEW
Agenda - 3/6/2023 - 1:30 PM
Statehouse Hearing Room 121(William McKinley Room)



FINAL REGULAR AGENDA

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1 Accountancy Board

Total Rules: 1 Original Filing Date: 1/11/2023

Jurisdiction Ends: 3/17/2023 Public Hearing: 2/13/2023

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

2 Department of Administrative Services • Division of Human Resources

Total Rules: 12 Original Filing Date: 1/17/2023

Jurisdiction Ends: 3/23/2023 Public Hearing: 2/21/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	Yes	123:1-37-01	Employees eligible for pay supplements.
Amendment	Original Filing	No	Yes	123:1-37-02	Computation of pay supplements.
Amendment	Original Filing	No	Yes	123:1-37-04	Hazard pay.
Amendment	Original Filing	No	Yes	123:1-37-06	Bilingual pay supplement.
Amendment	Original Filing	No	Yes	123:1-37-07	Temporary working level pay adjustment.
Amendment	Original Filing	No	Yes	123:1-37-08	Professional achievement pay supplement.
Amendment	Original Filing	No	Yes	123:1-37-09	Teacher's educational attainment supplement.
Amendment	Original Filing	No	Yes	123:1-37-10	Master teacher pay supplement.
Amendment	Original Filing	No	Yes	123:1-37-11	Special education teacher pay supplement.
Amendment	Original Filing	No	Yes	123:1-37-12	Teachers extra-curricular activities pay.
Amendment	Original Filing	No	Yes	123:1-44-01	Holidays.
Amendment	Original Filing	No	Yes	123:1-44-02	Religious observances.

3 Department of Commerce • Division of Industrial Compliance

Total Rules: 1 Original Filing Date: 12/14/2022

Jurisdiction Ends: 3/9/2023 Public Hearing: 1/18/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	Yes	No	1301:3-5-10	Boiler operator and steam engineer experience requirements.

4 Department of Commerce • Division of Real Estate - Home Inspector Program

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

Total Rules: 5 Original Filing Date: 1/20/2023 Jurisdiction Ends: 3/26/2023 Public Hearing: 2/22/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	Yes	Yes	1301:17-1-07	Home Inspector Qualifying Education.
Amendment	Original Filing	Yes	Yes	1301:17-1-10	Continuing Education for Licensees.
Amendment	Original Filing	Yes	Yes	1301:17-1-11	Continuing Education Approvals for Education Providers.
Amendment	Original Filing	Yes	Yes	1301:17-1-16	Canons of Ethics.
Amendment	Original Filing	Yes	Yes	1301:17-1-17	Standards of Practice.

5 Department of Commerce • Division of State Fire Marshal

Total Rules: 3 Original Filing Date: 8/12/2022 Date of Refiled Filing: 2/17/2023 Jurisdiction Ends: 3/19/2023 Public Hearing: 9/12/2022

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Refiled Filing	Yes	No	1301:7-7-50	Hazardous Materials - General Provisions.
Amendment	Refiled Filing	Yes	No	1301:7-7-56	Explosives and Fireworks.
Amendment	Refiled Filing	Yes	No	1301:7-7-80	Referenced Standards.

6 Department of Developmental Disabilities •

Total Rules: 1 Original Filing Date: 1/3/2023 Date of Revised Filing: 1/4/2023 Jurisdiction Ends: 3/9/2023 Public Hearing: 2/7/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Revised Filing	Yes	No	5123-9-05	Home and community-based services waivers - retention payments for direct support professionals.

7 Department of Developmental Disabilities •

Total Rules: 1 Original Filing Date: 1/3/2023 Jurisdiction Ends: 3/9/2023 Public Hearing: 2/7/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	Yes	No	5123-3-03	Licensed residential facilities - person-centered planning.

Total Rules: 1 Original Filing Date: 1/3/2023 Date of Refiled Filing: 2/15/2023 Jurisdiction Ends: 3/17/2023 Public Hearing: 2/7/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Refiled Filing	No	No	5123-4-02	Service and support administration.

8 Department of Education •

Total Rules: 2 Original Filing Date: 1/5/2023 Jurisdiction Ends: 3/11/2023 Public Hearing: 2/14/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
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Click on the rule number in blue above to view the rule in its entirety on the *Register of Ohio* website.

Rescission	Original Filing	No	Yes	3301-16-03	Community service learning special certification.
New Rule	Original Filing	No	No	3301-16-03	Community service learning special certification.

9 Department of Education •

Total Rules: 1 Original Filing Date: 1/5/2023 Jurisdiction Ends: 3/11/2023 Public Hearing: 2/14/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	Yes	3301-69-02	Excuses from school attendance.

Total Rules: 1 Original Filing Date: 1/5/2023 Date of Revised Filing: 1/13/2023 Jurisdiction Ends: 3/11/2023 Public Hearing: 2/14/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Revised Filing	No	Yes	3301-23-44	Temporary and substitute licenses.

10 Department of Health •

Total Rules: 1 Original Filing Date: 11/30/2022 Date of Revised Filing: 12/16/2022 Jurisdiction Ends: 3/9/2023 Public Hearing: 1/6/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Revised Filing	Yes	Yes	3701-15-03	Tuberculosis standards for the purposes of section 3701.14 of the Revised Code.

11 Department of Job and Family Services • Child Support

Total Rules: 3 Original Filing Date: 1/18/2023 Jurisdiction Ends: 3/24/2023 Public Hearing: 2/23/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	Yes	5101:12-55-25	License suspension.
Amendment	Original Filing	No	Yes	5101:12-55-25.1	License reinstatement.
Amendment	Original Filing	No	Yes	5101:12-55-26	Suspension and reinstatement of license to practice law.

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

Total Rules: 5 Original Filing Date: 12/29/2022 Jurisdiction Ends: 3/9/2023 Public Hearing: 2/7/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	Yes	Yes	5101:2-5-04.1	Acceptance of accreditation in lieu of certification requirements.
Amendment	Original Filing	Yes	Yes	5101:2-5-14	Treatment or diagnostic services.
Amendment	Original Filing	Yes	Yes	5101:2-5-15	Volunteers, interns and subcontractors.
Amendment	Original Filing	Yes	Yes	5101:2-5-34	PCPA and PNA case plans and administrative case reviews for direct placements.
Amendment	Original Filing	No	Yes	5101:2-7-11	Socialization and education.

13 Department of Job and Family Services • Hearings

Total Rules: 4 Original Filing Date: 1/6/2023 Jurisdiction Ends: 3/12/2023 Public Hearing: 2/7/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	Yes	Yes	5101:6-4-01	State hearings: continuation of benefits when a state hearing is requested.
Amendment	Original Filing	Yes	Yes	5101:6-5-01	State hearings: procedures prior to the state hearing.
Amendment	Original Filing	Yes	Yes	5101:6-6-01	State hearings: scheduling and attendance.
Amendment	Original Filing	Yes	Yes	5101:6-7-03	State hearings: implementation of the hearing decision.

14 Department of Job and Family Services • ODJFS Practices

Total Rules: 2 Original Filing Date: 12/6/2022 Jurisdiction Ends: 3/9/2023 Public Hearing:

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	Yes	5101:9-6-08	Temporary assistance for needy families (TANF) regular allocation.
Amendment	Original Filing	No	Yes	5101:9-6-08.8	Temporary assistance for needy families (TANF) administration allocation.

15 Department of Job and Family Services - Unemployment Compensation •

Total Rules: 1 Original Filing Date: 1/13/2023 Jurisdiction Ends: 3/19/2023 Public Hearing: 2/16/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	Yes	4141-5-03	Family relationships.

16 Department of Mental Health and Addiction Services •

Total Rules: 2 Original Filing Date: 9/26/2022 Date of Refiled Filing: 2/6/2023 Jurisdiction Ends: 3/8/2023 Public Hearing: 11/2/2022

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Refiled Filing	Yes	Yes	5122-29-20	Prevention service.
New Rule	Refiled Filing	Yes	No	5122-29-20	Prevention services.

17 Department of Rehabilitation and Correction •

Total Rules: 1 Original Filing Date: 12/30/2022 Jurisdiction Ends: 3/9/2023 Public Hearing:

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	No	5120-9-08	Disciplinary procedures for violations of inmate rules of conduct before the rules infraction board.

18 Department of Rehabilitation and Correction •

Total Rules: 3 Original Filing Date: 1/9/2023 Jurisdiction Ends: 3/15/2023 Public Hearing: 2/9/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
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Amendment	Original Filing	No	Yes	5120-3-03	Work release for private employment.
Amendment	Original Filing	No	Yes	5120-3-04	Private employment inside an institution.
Amendment	Original Filing	No	Yes	5120-3-08	Inmate compensation for work program assignments and related matters.

19 Department of Rehabilitation and Correction • Division of Parole and Community Services

Total Rules: 2 Original Filing Date: 1/9/2023 Jurisdiction Ends: 3/15/2023 Public Hearing: 2/9/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	Yes	5120:1-1-36	Parole board records.
Amendment	Original Filing	No	Yes	5120:1-1-70	Termination of the parole board's control over sexually violent predators.

20 Industrial Commission •

Total Rules: 4 Original Filing Date: 12/7/2022 Date of Revised Filing: 12/20/2022 Jurisdiction Ends: 3/9/2023 Public Hearing: 1/11/2023

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

21 Ohio Department of Medicaid •

Total Rules: 1 Original Filing Date: 1/6/2023 Date of Refiled Filing: 2/14/2023 Jurisdiction Ends: 3/16/2023 Public Hearing: 2/6/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Refiled Filing	No	Yes	5160-2-05	Classification of hospitals.

22 Ohio Department of Medicaid •

Total Rules: 2 Original Filing Date: 1/6/2023 Jurisdiction Ends: 3/12/2023 Public Hearing: 2/6/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Original Filing	Yes	Yes	5160-13-01	Service-based ambulatory health care clinics: general provisions.
New Rule	Original Filing	Yes	No	5160-13-01	Clinic services.

23 Ohio Environmental Protection Agency •

Total Rules: 2 Original Filing Date: 1/11/2023 Jurisdiction Ends: 3/17/2023 Public Hearing: 2/13/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Original Filing	Yes	Yes	3745-49-03	Trade secrets.

New Rule Original Filing Yes No [3745-49-03](#) Trade secrets.

24 Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board •

Total Rules: 1 Original Filing Date: 11/25/2022 Date of Revised Filing: 12/1/2022 Jurisdiction Ends: 3/9/2023 Public Hearing: 12/28/2022

Rule Type Action CSI FYR Rule Number Rule Title

Amendment Revised Filing Yes No [4755-23-12](#) Requirements for foreign educated applicants.

25 Ohio Vision Professionals Board •

Total Rules: 1 Original Filing Date: 12/7/2022 Jurisdiction Ends: 3/9/2023 Public Hearing: 1/10/2023

Rule Type Action CSI FYR Rule Number Rule Title

New Rule Original Filing Yes No [4725-19-01](#) Impaired practitioner rules and safe haven program.

26 Petroleum Underground Storage Tank Release Compensation Board •

Total Rules: 1 Original Filing Date: 1/6/2023 Jurisdiction Ends: 3/12/2023 Public Hearing: 2/8/2023

Rule Type Action CSI FYR Rule Number Rule Title

Amendment Original Filing Yes No [3737-1-04](#) Annual petroleum underground storage tank financial assurance fee, certification of compliance, and financial responsibility.

27 State Board of Pharmacy • Pharmacists

Total Rules: 1 Original Filing Date: 1/11/2023 Date of Revised Filing: 2/14/2023 Jurisdiction Ends: 3/17/2023 Public Hearing: 2/14/2023

Rule Type Action CSI FYR Rule Number Rule Title

Amendment Revised Filing Yes No [4729:1-3-02](#) Immunization administration.

28 State Board of Pharmacy • Pharmacy Interns

Total Rules: 1 Original Filing Date: 1/11/2023 Jurisdiction Ends: 3/17/2023 Public Hearing: 2/14/2023

Rule Type Action CSI FYR Rule Number Rule Title

Amendment Original Filing Yes No [4729:2-3-03](#) Immunization administration by pharmacy interns.

29 State Board of Pharmacy • Prescription Drug Collection

Total Rules: 1 Original Filing Date: 1/11/2023 Jurisdiction Ends: 3/17/2023 Public Hearing: 2/14/2023

Rule Type Action CSI FYR Rule Number Rule Title

Amendment Original Filing Yes No [4729:10-1-02](#) Authorized collectors.

30 State Board of Pharmacy • Terminal Distributors of Dangerous Drugs

Total Rules: 1 Original Filing Date: 1/11/2023 Jurisdiction Ends: 3/17/2023 Public Hearing: 2/14/2023

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

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	Yes	No	4729-5-3-09	Occasional sale and drug transfers.

31 State Board of Psychology •

Total Rules: 2 Original Filing Date: 12/1/2022 Jurisdiction Ends: 3/9/2023 Public Hearing: 1/6/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	Yes	No	4732-17-01	General rules of professional conduct pursuant to section 4732.17 of the Revised Code.
New Rule	Original Filing	Yes	No	4732-17-04	Impaired practitioner rules and safe haven program.

32 State Dental Board •

Total Rules: 3 Original Filing Date: 12/21/2022 Jurisdiction Ends: 3/9/2023 Public Hearing: 1/25/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	Yes	Yes	4715-6-01	Standards and procedures for review of "Ohio Automated Rx Reporting System" (OARRS).
Amendment	Original Filing	Yes	Yes	4715-6-02	Prescribing opioid analgesics for acute pain.
Amendment	Original Filing	Yes	Yes	4715-11-01	Dentists may supervise dental auxiliaries, basic qualified personnel, certified assistants, expanded function dental auxiliary.

33 State Highway Patrol Retirement System •

Total Rules: 2 Original Filing Date: 1/18/2023 Jurisdiction Ends: 3/24/2023 Public Hearing:

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	No	Yes	5505-3-08	Federal tax compliance provisions.
Amendment	Original Filing	No	Yes	5505-9-08	Committees of the retirement board.

34 State Medical Board •

Total Rules: 4 Original Filing Date: 1/3/2023 Jurisdiction Ends: 3/9/2023 Public Hearing: 2/10/2023

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Amendment	Original Filing	Yes	No	4731-18-01	Definitions.
Amendment	Original Filing	Yes	No	4731-18-02	Use of light based medical devices.
Rescission	Original Filing	Yes	Yes	4731-18-03	Delegation of the use of light based medical devices for specified non-ablative procedures.
New Rule	Original Filing	Yes	No	4731-18-03	Delegation of the use of light based medical devices for specified non-ablative procedures.

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

