

JOINT COMMITTEE ON AGENCY RULE REVIEW
Agenda - 7/11/2022 - 1:30 PM
Senate Finance Hearing Room (Finan Hearing Room)



FINAL REGULAR AGENDA

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1 Bureau of Workers' Compensation •

Total Rules: 1 Original Filing Date: 5/25/2022 Jurisdiction Ends: 7/29/2022 Public Hearing: 6/28/2022

<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	4123-20-05	Payroll to be reported.

2 Bureau of Workers' Compensation •

Total Rules: 1 Original Filing Date: 5/25/2022 Date of Revised Filing: 6/29/2022 Jurisdiction Ends: 7/29/2022 Public Hearing: 6/28/2022

<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	4123-6-35	Payment for spinal cord stimulator.

3 Department of Administrative Services • Division of Human Resources

Total Rules: 8 Original Filing Date: 5/16/2022 Jurisdiction Ends: 7/20/2022 Public Hearing: 6/21/2022

<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	123:1-71-01	Definitions.
Amendment	Original Filing	No	Yes	123:1-71-02	Administration of the fund.
Amendment	Original Filing	No	Yes	123:1-71-03	Eligibility, contribution and withdrawal procedures.
Amendment	Original Filing	No	Yes	123:1-71-04	Actuarial evaluation of the fund.
Amendment	Original Filing	No	Yes	123:1-71-05	Ensuring the integrity of the fund.
Amendment	Original Filing	No	Yes	123:1-72-02	Administration of the fund.
Amendment	Original Filing	No	Yes	123:1-72-03	Eligibility and contribution procedures.
Amendment	Original Filing	No	Yes	123:1-72-04	Actuarial evaluation of the fund.

4 Department of Commerce • Division of Securities

Total Rules: 1 Original Filing Date: 5/17/2022 Jurisdiction Ends: 7/21/2022 Public Hearing: 6/21/2022

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Original Filing	Yes	No	1301:6-3-471	Ohio Investor Recovery Fund.

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

5 Department of Commerce • Division of State Fire Marshal

Total Rules: 9	Original Filing Date: 6/7/2022		Jurisdiction Ends: 8/11/2022	Public Hearing: 7/12/2022	
<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	1301:7-9-01	Applicability.
Amendment	Original Filing	Yes	Yes	1301:7-9-02	Definitions.
Amendment	Original Filing	Yes	Yes	1301:7-9-05	Financial responsibility for petroleum underground storage tank systems.
Amendment	Original Filing	Yes	Yes	1301:7-9-06	Design, construction, installation, operation, and maintenance for UST systems.
Amendment	Original Filing	Yes	Yes	1301:7-9-07	Release detection methods and requirements for UST systems.
Amendment	Original Filing	Yes	Yes	1301:7-9-12	Out-of-service, closure-in-place, permanent removal, change-in-service, and closure assessment of UST systems.
Amendment	Original Filing	Yes	Yes	1301:7-9-13	Petroleum UST Corrective Action.
Amendment	Original Filing	Yes	Yes	1301:7-9-15	Delegation of authority to inspect UST systems.
Amendment	Original Filing	Yes	Yes	1301:7-9-16	Petroleum contaminated soil.

6 Department of Education •

Total Rules: 10	Original Filing Date: 5/13/2022	Date of Revised Filing: 6/9/2022	Jurisdiction Ends: 7/17/2022	Public Hearing: 6/14/2022	
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Revised Filing	Yes	Yes	3301-102-02	Definitions.
New Rule	Revised Filing	Yes	No	3301-102-02	Definitions.
Rescission	Revised Filing	Yes	Yes	3301-102-03	Approval of sponsors.
New Rule	Revised Filing	Yes	No	3301-102-03	Initial approval of sponsors.
Rescission	Revised Filing	Yes	Yes	3301-102-04	Sponsorship agreement.
New Rule	Revised Filing	Yes	No	3301-102-04	Sponsorship agreement.
Rescission	Revised Filing	Yes	Yes	3301-102-05	Monitoring and reporting requirements for all sponsors.
New Rule	Revised Filing	Yes	No	3301-102-05	Monitoring and reporting requirements for all sponsors.
Rescission	Revised Filing	Yes	Yes	3301-102-07	Revocation of sponsorship authority.
New Rule	Revised Filing	Yes	No	3301-102-07	Probation and revocation of sponsorship authority.

7 Department of Education •

Total Rules: 9	Original Filing Date: 6/8/2022	Date of Revised Filing: 6/13/2022	Jurisdiction Ends: 8/12/2022	Public Hearing: 7/12/2022	
<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>

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

New Rule	Revised Filing	No	No	3301-44-01	Purpose.
New Rule	Revised Filing	No	No	3301-44-02	Definitions.
New Rule	Revised Filing	No	No	3301-44-03	Provider application.
New Rule	Revised Filing	No	No	3301-44-04	Provider requirements.
New Rule	Revised Filing	No	No	3301-44-05	Enrollment.
New Rule	Revised Filing	No	No	3301-44-06	Requirements to earn a high school diploma.
New Rule	Revised Filing	No	No	3301-44-07	Provider funding.
New Rule	Revised Filing	No	No	3301-44-08	Contracting educational services.
New Rule	Revised Filing	No	No	3301-44-09	Standards for competency-based education.

8 Department of Health • Radiation Control

Total Rules: 6 Original Filing Date: 6/1/2022 Jurisdiction Ends: 8/5/2022 Public Hearing: 7/7/2022

<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	3701:1-67-01	Definitions.
Amendment	Original Filing	Yes	Yes	3701:1-67-02	General administrative requirements.
Amendment	Original Filing	Yes	Yes	3701:1-67-04	Quality management program.
Amendment	Original Filing	Yes	Yes	3701:1-67-09	Quality assurance for radiation therapy, simulation and image guidance equipment.
Amendment	Original Filing	Yes	Yes	3701:1-67-10	Electronic brachytherapy.
Amendment	Original Filing	Yes	Yes	3701:1-67-12	Unintended treatment deviations and notifications of medical events.

Total Rules: 1 Original Filing Date: 6/1/2022 Date of Revised Filing: 6/15/2022 Jurisdiction Ends: 8/5/2022 Public Hearing: 7/7/2022

<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	3701:1-67-08	Shielding design and survey requirements.

9 Department of Job and Family Services • Division of Public Assistance

Total Rules: 2 Original Filing Date: 6/8/2022 Jurisdiction Ends: 8/12/2022 Public Hearing: 7/14/2022

<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	5101:1-2-30.2	Benefit eligibility: indefinite detainees or lifers.
Amendment	Original Filing	No	Yes	5101:1-2-35	Sponsor-to-alien deeming requirements: Ohio works firststand disability financial assistance.

10 Department of Job and Family Services • Division of Public Assistance

Total Rules: 1 Original Filing Date: 6/10/2022 Jurisdiction Ends: 8/14/2022 Public Hearing: 7/14/2022

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	No	No	5101:1-2-40.1	Refugee cash assistance.

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

Total Rules: 2 Original Filing Date: 6/3/2022 Jurisdiction Ends: 8/7/2022 Public Hearing: 7/7/2022

<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	5101:2-33-26	The county child abuse and neglect memorandum of understanding.
Amendment	Original Filing	No	Yes	5101:2-36-12	PCSA requirement for cross-referring reports of child abuse and/or neglect.

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

Total Rules: 1 Original Filing Date: 5/18/2022 Jurisdiction Ends: 7/22/2022 Public Hearing: 6/23/2022

<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	5101:2-47-23.1	Title IV-E agency contracting and contract monitoring.

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

Total Rules: 1 Original Filing Date: 5/18/2022 Jurisdiction Ends: 7/22/2022 Public Hearing: 6/23/2022

<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	5101:2-47-21	Title IV-E foster care maintenance (FCM) reimbursement for a child placed into a qualified residential treatment program (QRTP).

14 Department of Public Safety •

Total Rules: 17 Original Filing Date: 6/7/2022 Jurisdiction Ends: 8/11/2022 Public Hearing: 7/8/2022

<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	4501-8-01	Definitions.
Amendment	Original Filing	Yes	Yes	4501-8-02	Place of business.
Amendment	Original Filing	Yes	Yes	4501-8-03	Character and fitness for adult driver training courses.
Amendment	Original Filing	Yes	Yes	4501-8-04	Application for and renewal of an abbreviated adult driver training school and online license.
Amendment	Original Filing	Yes	Yes	4501-8-05	Requirements for instructors, online instructors and adult training coordinators.
Amendment	Original Filing	Yes	Yes	4501-8-06	Qualifications for instructing persons with disabilities.
Rescission	Original Filing	Yes	Yes	4501-8-07	Employees of the department and a licensed abbreviated adult course.
New Rule	Original Filing	Yes	No	4501-8-07	Disqualifying Offenses.
Amendment	Original Filing	Yes	Yes	4501-8-08	Financial responsibility.

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

Amendment	Original Filing	Yes	Yes	4501-8-09	Course requirements.
Amendment	Original Filing	Yes	Yes	4501-8-10	Certificates of completion.
Amendment	Original Filing	Yes	Yes	4501-8-11	Training agreements.
Rescission	Original Filing	Yes	Yes	4501-8-12	Required records.
New Rule	Original Filing	Yes	No	4501-8-12	Required Records.
Amendment	Original Filing	Yes	Yes	4501-8-13	Vehicles used to train.
Amendment	Original Filing	Yes	Yes	4501-8-18	Inspections and investigations.
Amendment	Original Filing	Yes	Yes	4501-8-21	Incorporated materials.

15 Department of Transportation • Division of Highways

Total Rules: 2 Original Filing Date: 6/1/2022 Date of Revised Filing: 6/8/2022 Jurisdiction Ends: 8/5/2022 Public Hearing: 7/11/2022

<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	5501:2-12-01	Definitions.
Amendment	Revised Filing	No	Yes	5501:2-12-04	Implementation of veteran-friendly business enterprise bid preference on the acquisition of professional services.

16 Department of Transportation • Division of Highways

Total Rules: 3 Original Filing Date: 6/8/2022 Jurisdiction Ends: 8/12/2022 Public Hearing: 7/11/2022

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
Rescission	Original Filing	No	Yes	5501:2-12-02	Implementation of veteran-friendly business enterprise bid preference for the purchase of supplies and services.
New Rule	Original Filing	No	No	5501:2-12-02	Implementation of veteran-friendly business enterprise bid preference for the purchase of supplies and services.
Amendment	Original Filing	No	Yes	5501:2-12-03	Implementation of veteran-friendly business enterprise bid preference on the construction of transportation facilities.

17 Environmental Review Appeals Commission •

Total Rules: 4 Original Filing Date: 5/9/2022 Jurisdiction Ends: 7/13/2022 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	3746-1-02	Jurisdictional bases.
Amendment	Original Filing	No	Yes	3746-3-08	Standards of conduct and suspension.
Amendment	Original Filing	No	Yes	3746-3-09	Ex parte communication.
Amendment	Original Filing	No	Yes	3746-5-05	Notice of appeal - Effect of failure to comply with statute.

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

18 Environmental Review Appeals Commission •

Total Rules: 2 Original Filing Date: 5/25/2022

Jurisdiction Ends: 7/29/2022 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	3746-3-10	Participation by state employees.
Amendment	Original Filing	No	Yes	3746-5-26	Motions.

19 Ohio Casino Control Commission •

Total Rules: 10 Original Filing Date: 5/20/2022

Jurisdiction Ends: 7/24/2022 Public Hearing: 6/22/2022

<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	3772-12-01	Scope and purpose of the Ohio voluntary exclusion program.
New Rule	Original Filing	Yes	No	3772-12-01	Definitions, purpose, and scope of the Ohio voluntary exclusion program.
Amendment	Original Filing	Yes	No	3772-12-02	Application for Ohio voluntary exclusion.
Rescission	Original Filing	Yes	Yes	3772-12-03	Responsibilities of voluntarily excluded individuals.
New Rule	Original Filing	Yes	No	3772-12-03	Responsibilities of voluntarily excluded individuals.
Rescission	Original Filing	Yes	Yes	3772-12-04	Responsibilities of excluded facilities.
New Rule	Original Filing	Yes	No	3772-12-04	Responsibilities of excluded entities or facilities.
Amendment	Original Filing	Yes	No	3772-12-05	Removal from the Ohio voluntary exclusion program.
Amendment	Original Filing	Yes	No	3772-12-06	Compulsive and problem gambling plan.
Amendment	Original Filing	Yes	No	3772-12-07	Voluntary exclusions prior to the effective date of this rule.

20 Ohio Casino Control Commission - Sports Gaming •

Total Rules: 10 Original Filing Date: 5/17/2022

Jurisdiction Ends: 7/21/2022 Public Hearing: 6/22/2022

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Original Filing	Yes	No	3775-4-01	General licensing requirements.
New Rule	Original Filing	Yes	No	3775-4-02	Type A sports gaming proprietor licensure.
New Rule	Original Filing	Yes	No	3775-4-03	Type B sports gaming proprietor licensure.
New Rule	Original Filing	Yes	No	3775-4-05	Mobile management services provider licensure.
New Rule	Original Filing	Yes	No	3775-4-06	Management services provider licensure.
New Rule	Original Filing	Yes	No	3775-9-01	Sports gaming equipment approval and testing.
New Rule	Original Filing	Yes	No	3775-9-02	Sports gaming systems.
New Rule	Original Filing	Yes	No	3775-9-03	Location-based technology providers.

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

New Rule	Original Filing	Yes	No	3775-11-01	Sporting events and wager types.
New Rule	Original Filing	Yes	No	3775-16-02	Sports gaming system change management.

21 Ohio Casino Control Commission - Sports Gaming •

Total Rules: 4 Original Filing Date: 5/20/2022 Jurisdiction Ends: 7/24/2022 Public Hearing: 6/22/2022

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Original Filing	Yes	No	3775-1-09	Sports gaming involuntary exclusion list.
New Rule	Original Filing	Yes	No	3775-4-04	Type C sports gaming proprietor licensure.
New Rule	Original Filing	Yes	No	3775-4-07	Type C sports gaming host licensure.
New Rule	Original Filing	Yes	No	3775-12-01	Sports gaming voluntary exclusion program.

22 Ohio Casino Control Commission - Sports Gaming •

Total Rules: 5 Original Filing Date: 5/20/2022 Jurisdiction Ends: 7/24/2022 Public Hearing: 6/22/2022

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Original Filing	Yes	No	3775-14-01	Independent integrity monitor certification.
New Rule	Original Filing	Yes	No	3775-14-02	Compliance investigation of an independent integrity monitor.
New Rule	Original Filing	Yes	No	3775-14-03	Requirements of certification.
New Rule	Original Filing	Yes	No	3775-14-04	Duties of a certified independent integrity monitor.
New Rule	Original Filing	Yes	No	3775-16-10	Integrity monitoring.

23 Ohio Department of Medicaid •

Total Rules: 1 Original Filing Date: 4/15/2022 Date of Refiled Filing: 6/14/2022 Jurisdiction Ends: 7/14/2022 Public Hearing: 5/16/2022

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Refiled Filing	Yes	No	5160-2-17	Provision of basic, medically necessary hospital-level services.

24 Ohio Department of Medicaid •

Total Rules: 1 Original Filing Date: 11/16/2021 Date of Refiled Filing: 6/22/2022 Jurisdiction Ends: 7/22/2022 Public Hearing: 12/17/2021

<u>Rule Type</u>	<u>Action</u>	<u>CSI</u>	<u>FYR</u>	<u>Rule Number</u>	<u>Rule Title</u>
New Rule	Refiled Filing	No	No	5160-10-36	DMEPOS: continuous glucose monitors.

25 State Board of Emergency Medical, Fire, and Transportation Services •

Total Rules: 2 Original Filing Date: 6/7/2022 Jurisdiction Ends: 8/11/2022 Public Hearing: 7/11/2022

<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.

Amendment	Original Filing	Yes	Yes	4765-14-01	Definitions.
Amendment	Original Filing	Yes	Yes	4765-14-02	Determination of a trauma victim.

26 State Racing Commission •

Total Rules: 1	Original Filing Date: 6/2/2022	Date of Revised Filing: 6/13/2022	Jurisdiction Ends: 8/6/2022	Public Hearing: 7/5/2022	
<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	No	3769-8-01	Medication and testing.

27 State Racing Commission •

Total Rules: 1	Original Filing Date: 6/2/2022	Date of Revised Filing: 6/13/2022	Jurisdiction Ends: 8/6/2022	Public Hearing: 7/5/2022	
<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	No	3769-18-01	Medication and testing.