

**JOINT COMMITTEE ON AGENCY RULE REVIEW**  
**Agenda - 8/17/2022 - 1:30 PM**  
**Senate Finance Hearing Room (Finan Hearing Room)**



**TENTATIVE REGULAR AGENDA**

**TENTATIVE REGULAR AGENDA**

**1 Attorney General • Charitable Foundation**

|                  |                                 |                              |                          |
|------------------|---------------------------------|------------------------------|--------------------------|
| Total Rules: 1   | Original Filing Date: 6/27/2022 | Jurisdiction Ends: 8/31/2022 | Public Hearing: 8/1/2022 |
| <u>Rule Type</u> | <u>Action</u>                   | <u>CSI</u>                   | <u>FYR</u>               |
| New Rule         | Original Filing                 | No                           | No                       |
|                  |                                 | <a href="#">109:1-4-20</a>   | <u>Rule Number</u>       |
|                  |                                 |                              | <u>Rule Title</u>        |
|                  |                                 |                              | Bingo Game Operator.     |

**2 Bureau of Workers' Compensation •**

|                  |                                 |                              |                               |
|------------------|---------------------------------|------------------------------|-------------------------------|
| Total Rules: 1   | Original Filing Date: 6/17/2022 | Jurisdiction Ends: 8/21/2022 | Public Hearing: 7/25/2022     |
| <u>Rule Type</u> | <u>Action</u>                   | <u>CSI</u>                   | <u>FYR</u>                    |
| Amendment        | Original Filing                 | Yes                          | No                            |
|                  |                                 | <a href="#">4123-17-24</a>   | <u>Rule Number</u>            |
|                  |                                 |                              | <u>Rule Title</u>             |
|                  |                                 |                              | Other states coverage policy. |

**3 Bureau of Workers' Compensation •**

|                  |                                 |                              |  |
|------------------|---------------------------------|------------------------------|--|
| Total Rules: 1   | Original Filing Date: 6/17/2022 | Jurisdiction Ends: 8/21/2022 | Public Hearing: 7/25/2022                        |
| <u>Rule Type</u> | <u>Action</u>                   | <u>CSI</u>                   | <u>FYR</u>                                       |
| Amendment        | Original Filing                 | Yes                          | No   |
|                  |                                 | <a href="#">4123-18-09</a>   | <u>Rule Number</u>                               |
|                  |                                 |                              | <u>Rule Title</u>                                |
|                  |                                 |                              | Vocational rehabilitation provider fee schedule. |

**4 Department of Developmental Disabilities •**

|                  |                                |                             |   |
|------------------|--------------------------------|-----------------------------|---|
| Total Rules: 1   | Original Filing Date: 7/1/2022 | Jurisdiction Ends: 9/4/2022 | Public Hearing: 8/9/2022  |
| <u>Rule Type</u> | <u>Action</u>                  | <u>CSI</u>                  | <u>FYR</u>  |
| Amendment        | Original Filing                | Yes                         | No  |
|                  |                                | <a href="#">5123-9-40</a>   | <u>Rule Number</u>  |
|                  |                                |                             | <u>Rule Title</u>   |
|                  |                                |                             | Home and community-based services waivers - administration of the self-empowered life funding waiver. |

**5 Department of Developmental Disabilities •**

|                  |                                |                             |   |
|------------------|--------------------------------|-----------------------------|---|
| Total Rules: 1   | Original Filing Date: 7/1/2022 | Jurisdiction Ends: 9/4/2022 | Public Hearing: 8/9/2022  |
| <u>Rule Type</u> | <u>Action</u>                  | <u>CSI</u>                  | <u>FYR</u>  |
| New Rule         | Original Filing                | No                          | No  |
|                  |                                | <a href="#">5123-1-02</a>   | <u>Rule Number</u>  |
|                  |                                |                             | <u>Rule Title</u>   |
|                  |                                |                             | Community capital assistance funds - acquisition of housing by county boards of developmental disabilities for youth with intensive behavioral support needs. |

**6 Department of Job and Family Services • Division of Food Stamps**

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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Total Rules: 1      Original Filing Date: 6/24/2022      Jurisdiction Ends: 8/28/2022      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         | No         | <a href="#">5101:4-2-11</a> | Food assistance: timeliness standard and benefit issuance. |

**7 Department of Job and Family Services • Division of Social Services**

Total Rules: 1      Original Filing Date: 7/8/2022      Jurisdiction Ends: 9/11/2022      Public Hearing: 8/11/2022

| <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        | No         | <a href="#">5101:2-33-70</a> | Statewide automated child welfare information system (SACWIS) access. |

**8 Department of Mental Health and Addiction Services •**

Total Rules: 1      Original Filing Date: 6/14/2022      Jurisdiction Ends: 8/18/2022      Public Hearing: 7/21/2022

| <u>Rule Type</u> | <u>Action</u>   | <u>CSI</u> | <u>FYR</u> | <u>Rule Number</u>         | <u>Rule Title</u>                           |
|------------------|-----------------|------------|------------|----------------------------|---|
| Amendment        | Original Filing | Yes        | Yes        | <a href="#">5122-36-04</a> | Responsibilities of the living arrangement. |

Total Rules: 1      Original Filing Date: 6/14/2022      Date of Revised Filing: 6/24/2022      Jurisdiction Ends: 8/18/2022      Public Hearing: 7/21/2022

| <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        | <a href="#">5122-36-03</a> | Application process. |

Total Rules: 3      Original Filing Date: 6/14/2022      Date of Revised Filing: 7/7/2022      Jurisdiction Ends: 8/18/2022      Public Hearing: 7/21/2022

| <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        | <a href="#">5122-36-01</a> | Purpose and definitions.       |
| Amendment        | Revised Filing | Yes        | Yes        | <a href="#">5122-36-02</a> | RSS non-financial eligibility. |
| Amendment        | Revised Filing | Yes        | Yes        | <a href="#">5122-36-05</a> | Determination of RSS payment.  |

**9 Medical Marijuana Control Program • Medical Marijuana Dispensaries**

Total Rules: 3      Original Filing Date: 2/3/2022      Date of Refiled Filing: 7/19/2022      Jurisdiction Ends: 8/18/2022      Public Hearing: 3/11/2022

| <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        | Yes        | <a href="#">3796:6-3-02</a> | Dispensary premises generally. |
| Amendment        | Refiled Filing | Yes        | Yes        | <a href="#">3796:6-3-22</a> | Prohibitions.                  |
| Amendment        | Refiled Filing | Yes        | Yes        | <a href="#">3796:6-3-23</a> | Dispensary access.             |

**10 Ohio Casino Control Commission - Sports Gaming •**

Total Rules: 10      Original Filing Date: 6/30/2022      Jurisdiction Ends: 9/3/2022      Public Hearing: 8/3/2022

| <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 | Original Filing | Yes | No | <a href="#">3775-4-08</a>  | Sports gaming supplier licensure.              |
| New Rule | Original Filing | Yes | No | <a href="#">3775-4-09</a>  | Sports gaming employee licensure.              |
| New Rule | Original Filing | Yes | No | <a href="#">3775-10-01</a> | House rules.                                   |
| New Rule | Original Filing | Yes | No | <a href="#">3775-17-01</a> | Location-based technology.                     |
| New Rule | Original Filing | Yes | No | <a href="#">3775-18-01</a> | Sports gaming facility design and inspections. |
| New Rule | Original Filing | Yes | No | <a href="#">3775-18-02</a> | Sports gaming facility security.               |
| New Rule | Original Filing | Yes | No | <a href="#">3775-18-03</a> | Sports gaming facility surveillance.           |
| New Rule | Original Filing | Yes | No | <a href="#">3775-18-04</a> | Sports gaming facility cashiering.             |
| New Rule | Original Filing | Yes | No | <a href="#">3775-18-05</a> | Sports gaming facility restrictions.           |
| New Rule | Original Filing | Yes | No | <a href="#">3775-19-01</a> | Type C proprietor duties.                      |

**11 Ohio Environmental Protection Agency •**

Total Rules: 1      Original Filing Date: 6/22/2022      Jurisdiction Ends: 8/26/2022      Public Hearing: 7/25/2022

| <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        | <a href="#">3745-352-01</a> | Incorporated by reference. |

**12 Ohio Environmental Protection Agency •**

Total Rules: 3      Original Filing Date: 6/24/2022      Date of Revised Filing: 7/20/2022      Jurisdiction Ends: 8/28/2022      Public Hearing: 7/29/2022

| <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        | <a href="#">3745-24-01</a> | Definitions.          |
| Amendment        | Revised Filing | Yes        | Yes        | <a href="#">3745-78-01</a> | Definitions.          |
| Amendment        | Revised Filing | Yes        | Yes        | <a href="#">3745-78-02</a> | Fee emission reports. |

**13 Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board •**

Total Rules: 2      Original Filing Date: 6/14/2022      Jurisdiction Ends: 8/18/2022      Public Hearing: 7/20/2022

| <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         | <a href="#">4755-7-05</a>  | Telehealth.       |
| New Rule         | Original Filing | Yes        | No         | <a href="#">4755-27-09</a> | Telehealth.       |

**14 Ohio Police and Fire Pension Fund •**

Total Rules: 7      Original Filing Date: 7/7/2022      Jurisdiction Ends: 9/10/2022      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         | No         | <a href="#">742-3-04</a> | Disability benefit recipient's annual earnings statement. |

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|           |                 |    |    |                           |  |
|-----------|-----------------|----|----|---------------------------|--|
| Amendment | Original Filing | No | No | <a href="#">742-3-05</a>  | Disability benefits procedure.   |
| Amendment | Original Filing | No | No | <a href="#">742-3-10</a>  | Annual medical examinations, termination of benefits and appeal of terminations. |
| Amendment | Original Filing | No | No | <a href="#">742-3-18</a>  | Definition of "total dependency".  |
| Amendment | Original Filing | No | No | <a href="#">742-3-20</a>  | Statutory termination of disability benefits.                                    |
| Amendment | Original Filing | No | No | <a href="#">742-8-13</a>  | Special penalty provisions.  |
| Amendment | Original Filing | No | No | <a href="#">742-19-01</a> | Administration of public safety officers death benefit fund.                     |

**15 Opportunities for Ohioans with Disabilities • Business Enterprise Program**

Total Rules: 4      Original Filing Date: 7/6/2022      Jurisdiction Ends: 9/9/2022      Public Hearing: 8/10/2022

| <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        | No         | <a href="#">3304:1-21-03</a> | Facility and site announcements, application procedure, and selection. |
| Amendment        | Original Filing | Yes        | No         | <a href="#">3304:1-21-04</a> | Operator's responsibilities, leave and self-employment status.         |
| Amendment        | Original Filing | Yes        | No         | <a href="#">3304:1-21-06</a> | Bureau-operator, temporary bureau-operator agreements.                 |
| Amendment        | Original Filing | Yes        | No         | <a href="#">3304:1-21-12</a> | Ohio vendors representative committee.                                 |

**16 State Board of Pharmacy • Pharmacy Interns**

Total Rules: 1      Original Filing Date: 6/23/2022      Jurisdiction Ends: 8/27/2022      Public Hearing: 7/29/2022

| <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        | No         | <a href="#">4729:2-1-01</a> | Definitions - pharmacy interns. |

**17 State Board of Pharmacy • Terminal Distributors of Dangerous Drugs**

Total Rules: 1      Original Filing Date: 6/23/2022      Jurisdiction Ends: 8/27/2022      Public Hearing: 7/29/2022

| <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        | No         | <a href="#">4729:5-9-03.2</a> | Security, storage and control of dangerous drugs in an institutional facility. |

**18 State Lottery Commission • Sports Gaming**

Total Rules: 6      Original Filing Date: 6/24/2022      Date of Revised Filing: 7/15/2022      Jurisdiction Ends: 8/28/2022      Public Hearing: 7/26/2022

| <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 | No         | No         | <a href="#">3770:3-3-01</a> | Authority and Purpose.   |
| New Rule         | Revised Filing | No         | No         | <a href="#">3770:3-3-02</a> | Definitions.   |
| New Rule         | Revised Filing | No         | No         | <a href="#">3770:3-3-04</a> | Type C lottery sports gaming host operations; equipment; advertising and promotions. |
| New Rule         | Revised Filing | No         | No         | <a href="#">3770:3-5-02</a> | Required procedures.   |

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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|                  |                |                                 |            |                                   |   |                           |
|------------------|----------------|---------------------------------|------------|-----------------------------------|---|---------------------------|
| New Rule         | Revised Filing | No                              | No         | <a href="#">3770:3-7-02</a>       | Tickets.                                |                           |
| New Rule         | Revised Filing | No                              | No         | <a href="#">3770:3-7-04</a>       | Promotions and bonuses.                 |                           |
| Total Rules: 4   |                | Original Filing Date: 6/24/2022 |            | Date of Revised Filing: 7/18/2022 | Jurisdiction Ends: 8/28/2022            | Public Hearing: 7/26/2022 |
| <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 | No                              | No         | <a href="#">3770:3-5-01</a>       | Type C sports gaming proprietor duties. |                           |
| New Rule         | Revised Filing | No                              | No         | <a href="#">3770:3-6-02</a>       | Information technology.                 |                           |
| New Rule         | Revised Filing | No                              | No         | <a href="#">3770:3-7-01</a>       | Wager rules.                            |                           |
| New Rule         | Revised Filing | No                              | No         | <a href="#">3770:3-7-03</a>       | Advertising.                            |                           |

**19 State Lottery Commission • Video Lottery Gaming Terminals**

|                  |                |                                 |            |                                   |   |                           |
|------------------|----------------|---------------------------------|------------|-----------------------------------|---|---------------------------|
| Total Rules: 4   |                | Original Filing Date: 6/24/2022 |            | Date of Revised Filing: 7/15/2022 | Jurisdiction Ends: 8/28/2022  | Public Hearing: 7/26/2022 |
| <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                              | No         | <a href="#">3770:2-8-01</a>       | Scope and purpose of the Ohio voluntary exclusion program.          |                           |
| Amendment        | Revised Filing | No                              | No         | <a href="#">3770:2-8-02</a>       | Application to participate in the Ohio voluntary exclusion program. |                           |
| Amendment        | Revised Filing | No                              | No         | <a href="#">3770:2-8-03</a>       | Responsibilities of voluntarily excluded individuals.               |                           |
| Amendment        | Revised Filing | No                              | No         | <a href="#">3770:2-8-05</a>       | Removal from the Ohio voluntary exclusion program.                  |                           |

**20 State Lottery Commission • Video Lottery Gaming Terminals**

|                  |                |                                 |            |                                   |                              |                           |
|------------------|----------------|---------------------------------|------------|-----------------------------------|------------------------------|---------------------------|
| Total Rules: 2   |                | Original Filing Date: 6/24/2022 |            | Date of Revised Filing: 7/15/2022 | Jurisdiction Ends: 8/28/2022 | Public Hearing: 7/26/2022 |
| <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 | No                              | No         | <a href="#">3770:2-8-06</a>       | Responsible Gambling Plan.   |                           |
| New Rule         | Revised Filing | No                              | No         | <a href="#">3770:2-8-07</a>       | Prior voluntary exclusions.  |                           |

**21 State Teachers Retirement System • Defined Benefits**

|                  |                 |                                 |            |                              |   |                 |
|------------------|-----------------|---------------------------------|------------|------------------------------|---|-----------------|
| Total Rules: 1   |                 | Original Filing Date: 6/17/2022 |            | Jurisdiction Ends: 8/21/2022 |   | 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                              | No         | <a href="#">3307:1-11-05</a> | Health care services - medicare part B reimbursement. |                 |

**To Be Refiled**

**22 State Lottery Commission • Sports Gaming**

|                |  |                                 |  |                                 |                    |                           |
|----------------|--|---------------------------------|--|---------------------------------|--------------------|---------------------------|
| Total Rules: 1 |  | Original Filing Date: 6/24/2022 |  | Date of To Be Refiled: 8/9/2022 | Jurisdiction Ends: | Public Hearing: 7/26/2022 |
|----------------|--|---------------------------------|--|---------------------------------|--------------------|---------------------------|

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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| <u>Rule Type</u> | <u>Action</u> | <u>CSI</u> | <u>FYR</u> | <u>Rule Number</u>          | <u>Rule Title</u> |
|------------------|---------------|------------|------------|-----------------------------|-------------------|
| New Rule         | To Be Refiled | No         | No         | <a href="#">3770:3-8-02</a> | Prize payment.    |