



Department of Developmental Disabilities
Division of Legal and Oversight

Mike DeWine, Governor
Kim Hauck, Director

NOTICE OF PUBLIC HEARING

DATE: August 9, 2022

TIME: 10:00 a.m.

PLACE: Lobby Hearing Room
Rhodes State Office Tower
30 East Broad Street
Columbus, Ohio 43215

Pursuant to Chapter 119. of the Revised Code, the Ohio Department of Developmental Disabilities hereby gives notice of its intent to amend and adopt rules of the Administrative Code on a permanent basis on or about September 16, 2022, and to conduct a public hearing thereon. At this public hearing, the Department will accept verbal and/or written testimony regarding the proposed rule actions.

Persons unable to attend the public hearing may submit written comments regarding the proposed rule actions. Any written comments received on or before the public hearing date will be treated as testimony and made available for public review. Submittal of written comments may be made to Becky Phillips, Administrative Rules Coordinator, by email to becky.phillips@dodd.ohio.gov or by U.S. mail to 1810 Sullivant Avenue, Columbus, Ohio 43223-1239.

The Department is amending rule 5123-9-40 (Home and Community-Based Services Waivers - Administration of the Self-Empowered Life Funding Waiver).

The rule implements the Self-Empowered Life Funding Waiver, a component of the Medicaid Home and Community-Based Services program administered by the Department pursuant to Section 5166.21 of the Revised Code. The rule is being amended to restore paragraph (G)(2)(c), which was inadvertently stricken when the rule was original-filed on April 14, 2022. Paragraph (G)(2)(c) sets forth that individuals enrolled in the Self-Empowered Life Funding Waiver may exercise employer authority for the Support Brokerage service.

The Department is adopting new rule 5123-1-02 (Community Capital Assistance Funds - Acquisition of Housing by County Boards of Developmental Disabilities for Youth with Intensive Behavioral Support Needs). The rule sets forth a process for the Department to make available community capital assistance funds to assist county boards of developmental disabilities to acquire housing for youth with intensive behavioral support needs receiving supported living, including supported living funded by a Home and Community-Based Services waiver administered by the Department. The Department is making funds available to respond to an identified need in the developmental disabilities service delivery system.

The rules are available for review at the [Register of Ohio](#) and at the [Department's website](#). The rules are also available for review at each county board of developmental disabilities.

The Department is committed to providing access and inclusion and reasonable accommodation in its services, activities, programs, and employment opportunities in accordance with the Americans with Disabilities Act and other applicable laws. To request a reasonable accommodation due to a disability, please contact Becky Phillips, Administrative Rules Coordinator, no later than **July 26, 2022** by email to becky.phillips@dodd.ohio.gov or by telephone (614-644-7393 / TTY 711).

Please note that visitors to the Rhodes State Office Tower must enter the building through the Broad Street lobby. Visitors may be required to register at the security desk by showing government-issued photo identification and/or pass through a magnetometer. Visitors' belongings, such as purses and backpacks, may be subject to inspection.