

**NOTICE OF PUBLIC HEARING**

**DATE:** May 14, 2024

**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 rescind and adopt rules of the Administrative Code on a permanent basis on or about June 23, 2024, 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. 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](mailto:becky.phillips@dodd.ohio.gov) or by U.S. mail to 1810 Sullivant Avenue, Columbus, Ohio 43223-1239. Comments regarding rules are public records; persons submitting comments should refrain from including confidential or personal information about themselves or any other person.

The Ohio Department of Developmental Disabilities is proposing to rescind rule 5123-5-07 (Investigative agent certification standards) and adopt a new replacement rule of the same number and title. Rule 5123-5-07 establishes minimum qualifications through certification standards that apply to staff working in Investigative Agent positions at county boards of developmental disabilities and persons or employees of government entities under contract with a county board of developmental disabilities to provide Investigative Agent services.

There are currently two levels of Investigative Agent certification. House Bill 509 of the 134th General Assembly required the Department to establish a single level of certification for Investigative Agents. Due to the volume of necessary amendments, the Department is rescinding the currently effective rule and adopting a new replacement rule. New rule 5123-5-07 reflects amendments to:

- Establish a single level of certification.
- Define the content of required foundational Investigative Agent training.
- Change the timeline for a newly employed Investigative Agent to complete the foundational Investigative Agent training from one year to 180 days.
- Explicitly state that an Investigative Agent who fails to complete the foundational Investigative Agent training within 180 days is ineligible to perform Investigative Agent duties until the training is completed.
- Eliminate what had been paragraph (D) that addressed certifications issued prior to July 23, 2012.
- Add new paragraph (D) that addresses certifications issued prior to the effective date of the proposed new rule.
- Align wording with newer rules.
- Eliminate regulatory restrictions.

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 April 30, 2024, by email to [becky.phillips@dodd.ohio.gov](mailto: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 will be required to register at the security desk by showing government-issued photo identification and pass through a magnetometer. Visitors' belongings, such as purses and backpacks, are subject to inspection.