



## NOTICE OF PUBLIC HEARING

Pursuant to Chapter 119. of the Revised Code, the Ohio Department of Developmental Disabilities (DODD) hereby gives notice of its intent to rescind and adopt the following rules under Chapters 5123:2-1, 5123:2-5, 5123:2-9, 5123:2-13, and 5123:2-17 of the Administrative Code on a permanent basis on or about March 19, 2012, and to conduct a public hearing thereon.

**Rule 5123:2-1-03 entitled "Transportation"** is proposed for rescission. The purpose of the rule is to establish standards and procedures for the provision of transportation services to individuals eligible for county board of developmental disabilities services. The rule will be replaced by proposed new rule 5123:2-1-03 entitled "Locally-Funded Transportation."

**Rule 5123:2-1-03 entitled "Locally-Funded Transportation"** is a new rule proposed to replace existing rule 5123:2-1-03. The purpose of the rule is to establish standards and procedures for the provision of locally-funded transportation services to individuals eligible for county board of developmental disabilities services.

**Rule 5123:2-5-07 entitled "Investigative Agent Certification Standards"** is proposed for rescission and replacement by a new rule of the same number and title. The purpose of the rule is to establish minimum qualifications through certification standards that apply to staff working in investigative agent positions at county boards of developmental disabilities and persons or employees under contract with a county board to provide investigative agent services.

**Rule 5123:2-9-33 entitled "Home and Community-Based Services Waivers - Adult Foster Care Under the Individual Options Waiver"**

is a new rule proposed to replace existing rule 5123:2-13-06. The purpose of the rule is to define Adult Foster Care and set forth provider qualifications, requirements for service delivery and documentation of services, and payment standards for the service.

**Rule 5123:2-13-06 entitled "Individual Options Waiver - Adult Foster Care"** is proposed for rescission. The purpose of the rule is to establish Adult Foster Care as a service, specify the service definition and requirements, establish the certification standards for providers of the service, establish the documentation requirements, and establish the standards governing payment for the service. The rule will be replaced by proposed new rule 5123:2-9-33 entitled "Home and Community-Based Services Waivers - Adult Foster Care Under the Individual Options Waiver."

**Rule 5123:2-17-03 entitled "Abuser Registry"** is proposed for rescission and replacement by a new rule of the same number and title. The purpose of the rule is to set forth procedures to be used to determine whether the name of an employee of DODD, an employee of a county board of developmental disabilities, or a person who is employed in a position that includes providing specialized services to individuals with developmental disabilities should be placed on the Registry established under section 5123.52 of the Revised Code and standards for determining whether such employee has been rehabilitated.

A public hearing on the proposed rule actions will be held on **January 24, 2012**, beginning at **10:00 a.m.**, and continuing until all persons in attendance have had an opportunity to testify. The hearing will be held in the **Lobby Hearing Room of the Rhodes State Office Tower located at 30 East Broad Street, Columbus, Ohio 43215**. At this hearing, DODD will accept verbal and/or written testimony on the proposed rule actions under consideration.

Persons unable to attend the public hearing may submit written comments on 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](mailto:becky.phillips@dodd.ohio.gov); by fax to 614/644-5013; or by U.S. mail to 30 East Broad Street, 12th Floor, Columbus, Ohio 43215-3414.

The rules are available at the Register of Ohio website: <http://registerofohio.state.oh.us> and at the DODD website: <https://doddportal.dodd.ohio.gov/rules/underdevelopment/Pages/default.aspx>. The rules are also available for review at each local county board of developmental disabilities.