



Department of Developmental Disabilities

Mike DeWine, Governor
Jeff Davis, Director

NOTICE OF PUBLIC HEARING

DATE: May 8, 2020
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 the following rules of the Administrative Code on a permanent basis on or about June 18, 2020, 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 30 East Broad Street, 12th Floor, Columbus, Ohio 43215-3414.

The Department is rescinding rule 5123:2-17-03 (Abuser Registry) and adopting a replacement rule of the same title numbered 5123-17-03. The rule sets forth procedures to be used to determine whether the name of a person (i.e., a "DD Employee") should be placed on the Abuser Registry and standards for determining whether such person has been rehabilitated and may have his or her name removed from the Abuser Registry. The following are considered DD Employees:

- Employees of the Ohio Department of Developmental Disabilities;
- Employees of county boards of developmental disabilities;
- Persons who are employed in positions that include providing specialized services (i.e., services designed and operated to serve primarily persons with developmental disabilities) such as employees of Agency Providers certified by the Ohio Department of Developmental Disabilities;
- Independent Providers certified by the Ohio Department of Developmental Disabilities; and
- Employees of residential facilities licensed by the Ohio Department of Developmental Disabilities.

New rule 5123-17-03 contains, verbatim, the content of rule 5123:2-17-03. The only change being made at this time is to the rule number itself, which, in accordance with the Department's established course, is being changed to eliminate the division number. No changes are being made to the content of the rule.

The rules are available for review at the Register of Ohio website (<http://registerofohio.state.oh.us>) and at the Department's website (<https://dodd.ohio.gov/wps/portal/gov/dodd/forms-and-rules/rules-under-development/3-public-hearings-scheduled-for-proposed-rules>). The rules are also available for review at each county board of developmental disabilities.

- * 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 briefcases, may be subject to inspection.