

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 of the Administrative Code on a permanent basis on or about August 26, 2010, and to conduct a public hearing thereon.

Rule 5123:1-5-02 entitled "Risk Funds for Extraordinary Costs" is proposed for rescission. The rule sets forth a process to establish and access county board Medicaid reserve funds and identifies a process for accessing a state bridge fund. Redevelopment of the rule is necessary because House Bill 1 of Ohio's 128th General Assembly eliminated the risk fund and requires DODD to adopt rules to establish a method of responding to county boards of developmental disabilities that are unable to meet their financial obligations for Medicaid Home and Community-Based Services waivers. DODD is rescinding the existing rule and bringing forth a new rule of the same number because necessary amendments to the existing rule would affect more than fifty percent of the rule.

The proposed new rule is entitled "**Assistance to Enable a County Board to Pay the Nonfederal Share of Medicaid Expenditures for Home and Community-Based Services.**" The rule sets forth the process for a county board of developmental disabilities to request assistance from DODD in the event of failure of an operating levy and sets forth the process followed by DODD to respond to such requests.

A public hearing on the proposed rule actions will be held on **July 16, 2010**, 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 e-mail to becky.phillips@dodd.ohio.gov; by fax to 614/752-8551; or by U.S. mail to 30 East Broad Street, 12th Floor, Columbus, Ohio 43215-3414.

The proposed rules are available on the Register of Ohio website at: <http://registerofohio.state.oh.us> and on the DODD website at: <http://dodd.ohio.gov/rules/development.htm>. The proposed rules are also available for review at each local county board of developmental disabilities.