

NOTICE OF PUBLIC HEARING

Pursuant to Chapter 119. of the Revised Code, the Ohio Department of Mental Retardation and Developmental Disabilities (ODMRDD) hereby gives notice of its intent to rescind and adopt the following rules of the Administrative Code on a permanent basis on or about October 6, 2009, and to conduct a public hearing thereon.

Rule 5123:2-14-01 entitled "Preadmission Screening and Resident Review for PASSPORT Waiver Applicants and Nursing Facility (NF) Applicants and Residents with Mental Retardation or Developmental Disabilities (MR/DD)" is proposed for rescission and replacement by a new rule of the same number.

Rule 5123:2-14-01 entitled "Preadmission Screening and Resident Review for Nursing Facility Applicants and Nursing Facility Residents with Mental Retardation and/or Other Developmental Disabilities" is a new rule proposed for adoption. The purpose of the rule is to set forth a process for the Ohio department of developmental disabilities and county boards of developmental disabilities to determine whether an individual is eligible for admission to a nursing facility or eligible to continue to receive services in a nursing facility.

A public hearing on the proposed rules will be held on **August 31, 2009**, 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 43215-3414**. At this hearing, ODMRDD will accept verbal and/or written testimony on the proposed rules under consideration.

Persons unable to attend the public hearing may submit written comments on the proposed rules. 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@dmr.state.oh.us; 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 ODMRDD website at: <http://mrdd.ohio.gov/rules/development.htm>. The proposed rules are also available for review at each local county board of mental retardation and developmental disabilities.