



NOTICE OF PUBLIC HEARING

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 on a permanent basis on or about January 1, 2013, and to conduct a public hearing thereon.

Rule 5123:1-7-01 entitled "Background Investigations on Applicants for Department Employment" is proposed for rescission. The rule establishes standards for conducting background investigations on applicants for employment with the Ohio Department of Developmental Disabilities. The rule is being replaced by new rule 5123:2-2-02.

Rule 5123:2-1-05 entitled "Background Investigations on Applicants for Employment with a County Board" is proposed for rescission. The rule establishes standards for conducting background investigations on applicants for employment with county boards of developmental disabilities. The rule is being replaced by new rule 5123:2-2-02.

Rule 5123:2-1-05.1 entitled "Background Investigations on Persons Employed in Direct Service Positions by Contracting Entities of County Boards" is proposed for rescission. The rule establishes standards for conducting background investigations on persons applying for employment in direct service positions with a contracting entity of a county board of developmental disabilities. The rule is being replaced by new rule 5123:2-2-02.

Rule 5123:2-2-02 entitled "Background Investigations for Employment" is a new rule that will replace rules 5123:1-7-01, 5123:2-1-05, 5123:2-1-05.1, and 5123:2-3-06. The rule establishes standards for conducting background investigations on persons employed or seeking employment in Ohio's service delivery system for individuals with developmental disabilities.

Rule 5123:2-3-06 entitled "Background Investigations for Employment with Residential Facilities" is proposed for rescission. The rule establishes standards for conducting background investigations on persons applying for employment with a residential facility in a direct services position and on persons placed in a direct services position under a contract with the licensee for the provision of specialized services to individuals residing in a residential facility. The rule is being replaced by new rule 5123:2-2-02.

A public hearing on the proposed rule actions will be held on **November 20, 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, the Department 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, 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 Department's website: <https://doddportal.dodd.ohio.gov/rules/underdevelopment/Pages/default.aspx>. The rules are also available for review at each county board of developmental disabilities.