

4761-1-01

**Public hearings on adoption, amendment, or rescission of rules: methods of public notice.**

- (A) Except in the case of an emergency rule authorized under division (F) of section 119.03 of the Revised Code, prior to the proposed adoption, amendment or rescission of any rule by the Ohio respiratory care board, public notice thereof shall be given at least thirty days prior to the date set for the public hearing thereon, by publication of that notice in the register of Ohio internet site at [www.registerofohio.state.oh.us](http://www.registerofohio.state.oh.us). Such notice shall include a statement of the board's intention to consider adopting, amending, or rescinding a rule; a synopsis of the proposed rule, amendment, or rule to be rescinded or a general statement of the subject matter to which the proposed rule, amendment or rescission relates; a statement of the reason or purpose for adopting, amending, or rescinding the rule; and the date, time, and place of the public hearing on said proposed action.
- (B) The board may give whatever other notice it reasonably considers necessary including, but not limited to, the following:
- (1) The board shall post the notice of the public rules hearing on the board's internet site at [www.state.oh.us/rsp](http://www.state.oh.us/rsp). The board may also post the full text of the proposed rules on its internet site.
  - (2) The board may maintain a mailing list of all persons who have made a prior written request to receive a copy of each public notice provided for in paragraph (A) of this rule, and copies of such notices shall be sent by regular mail or electronic mail to each person on the mailing list at least thirty days prior to the date set for the hearing. Upon request, the board shall also promptly send a copy of any notice provided for in paragraph (A) of this rule by regular mail or electronic mail to any person not appearing on its mailing list. The board may assess a reasonable fee, not to exceed the cost of copying and mailing, for notices sent to persons in accordance with this rule.
  - (3) Copies of the notice of the public rules hearing and the full text of the proposed rules shall be available at the board's offices at least thirty days prior to the date of the public rules hearing.
- (C) Prior to the effective date of a rule, amendment, or rescission, the board shall make a reasonable effort to inform those affected by the rule, amendment, or rescission. The method of notification may include posting the full text of the rule as adopted or amended on the board's internet site, publishing the rules in the board's electronic newsletter, and/or sending by regular mail or electronic mail a notice of the action to all persons whose name appears on the mailing list maintained by the board pursuant to paragraph (B)(2) of this rule, or to any person or his attorney who provided evidence, oral testimony, and/or a written statement which were made part of the record of the public hearing held pursuant to section 119.03 of the Revised

Code. The board may assess a reasonable fee, not to exceed the cost of copying and mailing, for notices sent to persons in accordance with this rule.