

## OHIO RESPIRATORY CARE BOARD

### NOTICE OF PUBLIC HEARING OF INTENT TO AMEND EXISTING OHIO ADMINISTRATIVE RULES AND TWO FILE

The Ohio Respiratory Care Board announces its intent to amend four (4) existing rules regulating the practice of Home Medical Equipment Services under Section 4752 of the Ohio Revised Code and file four (4) existing rules regulating the practice of Home Medical Equipment Services under Section 4752 of the Ohio Revised Code as “no-change” rules. All rules have been filed pursuant to Chapter 119.032 of the Revised Code and the filing is in compliance with Chapter 119. of the Revised Code.

A public hearing will be conducted on: **Wednesday, August 14, 2013 at 1:00 p.m. in the Board Room, 31<sup>st</sup> Floor, Vern Riffe Center for Gov’t and the Arts, 77 South High Street, Columbus, OH.** Any person affected by the proposed action may present oral or written testimony.

The following represents a summary of the proposed rule amendments and “no-change” rules:

#### **Home Medical Equipment Services ORC 4752 rules proposed:**

**Amended rule**        4761:1-5-02: Application form requirements.

**Summary:**        The rule identifies the application requirements for persons seeking an HME license in the state of Ohio. The Board proposes to amend the existing rule by including all of the current initial application form components.

**Amended rule**        4761:1-6-02: Application form requirements to apply for a certificate of registration.

**Summary:**        The rule identifies the application requirements for persons seeking an HME certificate of registration in the state of Ohio. The Board proposes to amend the existing rule by including all of the current initial application form components.

**Amended rule**        4761:1-9-02: Standards for maintaining a facility.

**Summary:**        The rule identifies the standards for maintaining an HME facility licensed in the state of Ohio. The Board proposes to combine paragraphs (E) and (F) into a single requirement stating that licensed HME facilities must meet all federal, state, and local laws and rules, including regulations regarding the storage, maintenance, and sale of upholstery or bedding, if applicable.

**Amended rule**        4761:1-15-03: Transfer of authorization to new facility or new ownership.

**Summary:**        The rule states process that must be followed in the event an HME service moves to a new location or the ownership of the HME service changes. The Board proposes to remove the re-inspection requirement for ownership change.

**Home Medical Equipment Services ORC 4752 rules proposed as “no change” rules:**

**OAC Rule**                      4761:1-6-01: Qualifications to obtain a certificate of registration.

**OAC Rule**                      4761:1-9-03: Standard for maintaining equipment.

**OAC Rule**                      4761:1-9-04: Client records.

**OAC Rule**                      4761:1-15-04: Requirement to provide board contact information to clients.

**All interested persons will be given the opportunity to be heard at the public hearing.** Those persons who wish to provide oral testimony at the hearing are encouraged to preregister by contacting Christopher Logsdon at the address below, and may be given preference in the order of their testimony. Persons providing oral testimony are encouraged to submit a written copy of the testimony at the hearing.

All written comments received by the Board before the close of the hearing record will be considered. **Oral and written comments may be provided at the public hearing; however, persons interested in providing written comments without attending the hearing are encouraged to do so no later than August 9, 2013 via e-mail to [christopher.logsdon@rcb.state.oh.us](mailto:christopher.logsdon@rcb.state.oh.us) or via regular mail to the attention of:**

**Ohio Respiratory Care Board  
77 South High Street, 16<sup>th</sup> Floor  
Columbus, Ohio 43215-6108**

**Attn: Christopher H. Logsdon**

Persons intending to testify before the Ohio Respiratory Care Board should notify: Christopher H. Logsdon, MBA, RCP, Ohio Respiratory Care Board, 77 South High Street, 16<sup>th</sup> Fl., Columbus, Ohio 43215. Rules are available in printed form for the cost of copying and mailing by contacting: Ohio Respiratory Care Board, 77 South High St., 16th Fl. Columbus, OH 43215-6108, (614) 752-9218 or by obtaining a copy from:

- Ohio Respiratory Care Board’s website: <http://respiratorycare.ohio.gov/LawsandRules.aspx>
- Register of Ohio website:  
<http://www.registerofohio.state.oh.us/jsps/publicdisplayrules/searchAgency.jsp>