

5122-25-06

**Waivers and variances.**

- (A) The department may grant a waiver or variance from any certification standard, or portion thereof, for a period of time determined by the department, but that shall not exceed the expiration date of the current certificate. However, requests for waivers and variances that would adversely affect the quality of services or the health and safety of clients will not be granted.
- (B) ~~An agency~~ A provider shall submit a written request to the department for a waiver or variance. The written request shall state clearly the rationale and need for the requested waiver or variance.
- (1) Within thirty days of receipt of the written request, the department shall:
- (a) Provide a specific response to the request; or
  - (b) Provide an estimate to the ~~agency~~ provider of the timeframe in which the department will be able to provide a specific response to the request.

Effective: 02/01/2016

Five Year Review (FYR) Dates: 06/29/2015 and 02/01/2021

CERTIFIED ELECTRONICALLY

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Certification

12/17/2015

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Date

Promulgated Under: 119.03  
Statutory Authority: 5119.36  
Rule Amplifies: 5119.36  
Prior Effective Dates: 10-1-2003, 1-9-06