



**RULE MEMORANDUM**

Date: January 30, 2015

To: Interested Constituents

From: Howard Henry, Staff Counsel

Subject: Proposed Rule Amendments for:

- 5122-1-02 Public hearings and method of notice.
- 5122-3-01 Consultation with constituencies affected by rules.
- 3793:1-1-01 Public hearing notice for administrative rules.
- 5122-1-02 Notification and consultation with constituencies affected by rules, standards, and guidelines.

The Ohio Department of Mental Health and Addiction Services (OhioMHAS) is proposing the following Ohio Administrative Code rule actions. Please review these draft proposed rule actions and provide any comments you may have **by February 13, 2015**.

The Department is updating and consolidating its rules regarding the adoption of administrative rules. In addition to the statutory requirements for the promulgation of administrative rules in R.C. 111.15 and R.C. 119.03, the Department is required by R.C. 5119.21 to notify and consult with relevant constituencies when promulgating rules. The new rule 5122-1-02 is the notification and consultation procedure the Department is proposing to use. Existing rules on public hearings and method of notice are completely duplicative of statutory requirements and rule 5122-1-02 indicates that all rules will follow the requirements of either R.C. 111.15 or R.C. 119.03.

Comments may be sent [MH-SOT-rules@mha.ohio.gov](mailto:MH-SOT-rules@mha.ohio.gov).

Rule Number	Title	New, Amended, No Change or Rescinded Rule	Summary of Major Proposed Changes/Rule Subject
5122-1-02	Public hearings and method of notice.	<ul style="list-style-type: none"> <li>• Rescinded</li> </ul>	<ul style="list-style-type: none"> <li>• The current rule is duplicative of R.C. 119 and is being replaced with the Department's new rule process.</li> </ul>
5122-1-02	Notification and consultation with constituencies affected by rules,	<ul style="list-style-type: none"> <li>• New</li> </ul>	<ul style="list-style-type: none"> <li>• New rule sets forth Department</li> </ul>



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	standards, and guidelines.		notification and consultation procedure for rules.
5122-3-01	Consultation with constituencies affected by rules.	<ul style="list-style-type: none"> <li>• Rescinded</li> </ul>	<ul style="list-style-type: none"> <li>• This rule is being replaced with the updated notification and consultation rule, 5122-1-02.</li> </ul>
3793:1-1-01	Public hearing notice for administrative rules.	<ul style="list-style-type: none"> <li>• Rescinded</li> </ul>	<ul style="list-style-type: none"> <li>• The current rule is duplicative of R.C. 119 and is being replaced with the Department's new rule process.</li> </ul>