



## NOTICE OF PUBLIC HEARING

The Ohio Department of Developmental Disabilities hereby gives notice of its intent to adopt the following rule of the Administrative Code on a permanent basis on or about March 23, 2017, and to conduct a public hearing thereon.

The Department is proposing to adopt new rule 5123:2-9-03 (Home and Community-Based Services Waivers - Limit on Number of Hours an Independent Provider May Provide Home and Community-Based Services in a Work Week) in response to the U.S. Department of Labor Home Care Final Rule which applies minimum wage and overtime protections to domestic service workers, including those who provide services to individuals enrolled in Medicaid Home and Community-Based Services (HCBS) waivers. Rule 5123:2-9-03 places a limit on the number of hours an Independent Provider may provide HCBS in a work week and establishes a process and the circumstances under which the limit may be exceeded.

A public hearing on the proposed rule will be held on **February 9, 2017**, 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. Persons unable to attend the public hearing may submit written comments on the proposed rule. 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](mailto:becky.phillips@dodd.ohio.gov), by fax to 614/752-8551, or by U.S. mail to 30 East Broad Street, 12th Floor, Columbus, Ohio 43215-3414.

The rule is available for review at the Register of Ohio website (<http://registerofohio.state.oh.us>) and at the Department's website (<http://dodd.ohio.gov/RulesLaws/Pages/Rules-Under-Development.aspx>). The rule is also available for review at each county board of developmental disabilities.