

OHIO GENERAL ASSEMBLY
JOINT COMMITTEE ON AGENCY RULE REVIEW

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S.B. 9 – September 15, 2024 Required Report

1) Agency

a) *Name:* Ohio Department of Administrative Services

2) Agency Contact

- a) *Name:* Denise DePalma
b) *Email:* denise.depalma@das.ohio.gov
c) *Contact Number:* 614-466-0767

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

As of April 30, 2024, the Department of Administrative Services (DAS) identified and eliminated 669 regulatory restrictions.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

DAS examines each rule to determine whether the rule should be amended or rescinded under RC 106.03(A), including a review for required regulatory reduction under RC 121.951 of the Revised Code, as part of the regular internal rule review process. The determination of whether rules can be eliminated entirely, condensed for simplicity of content, or changed to remove restriction is done through joint work of the subject matter experts and the legal department. We planned, tracked, and measured progress within the Teams platform.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

As of April 30, 2024, DAS achieved a 40% overall reduction in the inventory.

6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.



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1) Agency: Ohio Department of Aging

2) Agency Contact:

- a) *Name:* Tom Simmons
- b) *Email:* tsimmons@age.ohio.gov
- c) *Contact Number:* 614-202-7971

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

During this time, as counted by effective dates, ODA removed 363 regulatory restrictions to comply with RC§§ 106.03, 121.95, and 121.951.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

- ODA removed 234 regulatory restrictions because they were no longer useful. {RC§106.03(A)(4)}
- ODA removed 101 regulatory restrictions because they duplicated regulatory restrictions in other ODA rules, another state agency’s rules, the Ohio Revised Code, the United States Code, or the Code of Federal Regulations. {RC§106.03(A)(6)}
- ODA removed 28 regulatory restrictions to reduce adverse impact upon Ohio businesses. {RC§106.03(A)(7)}

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency’s initial January 2020 inventory to June 30, 2024.

From the base inventory to June 30, 2024, ODA reduced its inventory of regulatory restrictions from 1,909 to 1,036, which is a 45.73% reduction.

6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.

ODA exceeded the 2024 reduction benchmark by 2.3 times.



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1) Agency

a) *Name:* Ohio Department of Agriculture

2) Agency Contact

a) *Name:* Renee Schmauch

b) *Email:* Renee.Schmauch@agri.ohio.gov

c) *Contact Number:* 614-728-6295

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2022, to June 30, 2023.

During fiscal year July 1, 2023, to June 30, 2024, ODA reduced regulatory restrictions in three rule packages by incorporating by reference federal or national standards and by rescinding two rule packages. Also, ODA worked with its divisions to revise nineteen rule packages to remove regulatory restrictions to meet the 20% reduction required by June 30, 2024.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

ODA primarily applied RC 106.03(A)(5) and has incorporated material by reference to reduce regulatory restrictions. Also, ODA applied 106.03(A)(4) by eliminating and revising language that was no longer useful or beneficial which had the effect of clarifying the rules. The reduction of outdated rule text and duplicative requirements has increased the readability and effectiveness of each rule.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2023.

As of June 30, 2024, ODA had a net reduction in regulatory restrictions of 31.03% which meets the requirement of Senate Bill 9 to reduce regulatory restrictions 30% by June 30, 2025.

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1) Agency

a) *Name:* Ohio Bureau of Workers' Compensation

2) Agency Contact

- a) *Name:* Pete Mihaly
b) *Email:* pete.mihaly@bwc.ohio.gov
c) *Contact Number:* (614) 466-3186

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

In accordance with R.C. 121.95(F), BWC has removed two regulatory restrictions for every one it has added during this time. In addition, during the scheduled five year rule review of our general rating for the state insurance fund Chapter 4123-17, coal-workers' pneumoconiosis fund Chapter 4123-21, and public employer risk reduction program Chapters 4167-1 to 4167-15 rules, BWC looked for opportunities to remove regulatory restrictions as part of the scheduled review. BWC also reviewed non-five year rule review rules we made program changes to during the year to remove regulatory restrictions where appropriate. BWC has removed 986 regulatory restrictions from our rules from July 1, 2023, to June 30, 2024.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

BWC's Legal Division works closely with the various internal business units to evaluate rules as they come up for five year rule review under the criteria of R.C. 106.03(A), determining whether there is a continued need for the rule, or whether the rule needs amendment or rescission, taking action accordingly. During the scheduled review of our general rating for the state insurance fund Chapter 4123-17, coal-workers' pneumoconiosis fund Chapter 4123-21, and public employer risk reduction program Chapters 4167-1 to 4167-15 rules BWC amended fifty rules, making many clarifying

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amendments, determined one rule needed no changes, and rescinded one rule as being duplicative of requirements in the Ohio Revised Code, all with input from our injured worker, employer, and provider stakeholders and the advice and consent of the BWC Board of Directors.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

BWC's corrected base inventory of regulatory restrictions, as submitted to JCARR September 29, 2022, reported a total of 8,500 regulatory restrictions in BWC rules as of December 31, 2019, the statutory due date for the original base inventory under R.C. 121.95(B).

BWC's inventory of regulatory restrictions as contained in the BWC – July 2024 Report uploaded to the Legislative Service Commission Electronic Rule Filing System website in July 2024, reported a total of 6,138 regulatory restrictions in BWC rules as of June 30, 2024.

Calculating a net change in regulatory restrictions by “*subtracting the current number of regulatory restrictions from the number of regulatory restrictions identified in the base inventory and then dividing the resulting number by the number of regulatory restrictions in the base inventory*” in accordance with R.C. 121.951(B)(2) results in a **twenty-seven and seventy-nine one-hundredths per cent (27.79)% decrease** in BWC's regulatory restrictions from January 2020 to June 30, 2024.

6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.

Not applicable.

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1) Agency

a) *Name: Ohio Department of Development*

2) Agency Contact

a) *Name: Tara Marasco*

b) *Email: Tara.Marasco@development.ohio.gov*

c) *Contact Number: (614) 466-0201*

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

After the 2023 regulatory reduction deadline, the Department of Development's Regulatory Restriction Inventory contained 889 restrictions, a reduction from the original baseline of 992 regulatory restrictions, equating to a reduction of 10.38%.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

When reviewing our Administrative Rules, Development has rescinded many provisions identified as “regulatory restrictions” because the Rules containing those restrictions were promulgated for outdated or obsolete Development programs—in other words, the Rules were “no longer useful or beneficial.” See RC 106.03(A)(4). Accordingly, when Development cut the unnecessary Rules, we coincidentally were able to reduce our “regulatory restrictions” at the same time.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

After the 2023 regulatory reduction deadline, the Department of Development Regulatory Restriction Inventory totaled 889, amounting to a 10.38% reduction from the original baseline of 992 regulatory restrictions. Our Inventory currently contains 889 regulatory restrictions.

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6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.

The Department of Development achieved the 10% reduction goal in 2023. As discussed with Executive Director Dollenmayer and staff, Development determined that our options to further comply with SB 9's reduction mandates are either (1) to entirely remove provisions of Development Rules that are vital to our programs and operation, or (2) to replace the "restrictive words" in our Rules with similar-meaning words that are not identified in SB 9 as triggering a "regulatory restriction."

Development identified the statutory dilemma, faced by all state agencies, that requires the counting of every instance of one of the six "restrictive" words identified in RC 121.95(B), and tallying a "regulatory restriction" for each one, regardless of whether the particular Rule operates as a legitimate "restriction." As Development explained, many Rules containing a word defined as a "regulatory restriction" are instead a non-restrictive definition of a term, for example, or a provision directing the actions of the department itself.

Development could simply replace a large number "restrictive" words in its Regulatory Restriction Inventory with words that are similar meaning, but not identified as "restrictive" in RC 121.95(B), and in doing so achieve the 30% reduction mandate in 2025.

Before embarking on that plan, Development has pledged to work with JCARR leadership and staff, and other interested parties, to determine a viable solution that permits Development to both meet the terms of SB 9, while not violating the valuable policy goals or spirit of the law. We look forward to collaborating on a meaningful and beneficial resolution.

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1) Agency

a) *Name:* Ohio Department of Developmental Disabilities

2) Agency Contact

- a) *Name:* Becky Phillips
b) *Email:* becky.phillips@dodd.ohio.gov
c) *Contact Number:* (614) 644-7393

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

The Department has 1,246 fewer regulatory restrictions.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

The Department applied the criteria described in R.C. 106.03(A) and eliminated regulatory restrictions whenever possible as it considered rules being amended or enacted.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

The Department reduced regulatory restrictions approximately 58.9%, from 3,699 to 1,521.

6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.

Not applicable.

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1) Agency

a) *Name:* Ohio Department of Education and Workforce

2) Agency Contact

a) *Name:* Anthony Palmer

b) *Email:* Anthony.Palmer@education.ohio.gov

c) *Contact Number:* (614) 995-5927

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

In October of 2023, the education governance reforms enacted by the 135th General Assembly under House Bill 33 went into effect. Among other things, those reforms established the Department of Education and Workforce. After the education governance reforms of House Bill 33 became effective, the Department was required to establish a new inventory of regulatory restrictions, as many of the rules that were adopted by the State Board of Education and codified in the Ohio Administrative Code transferred to the State Board of Education by operation of law. The Department's new inventory became effective in the ERF system in April of 2024. The Department had 2,819 restrictions at that time. The Department's inventory ending on June 30, 2024, contained 2,085 restrictions. The result is a reduction of 734 restrictions.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

As part of five-year rule reviews, the Department reviews the enabling legislation as well as those statutes that are amplified by the rule and, where applicable, federal laws and regulations to identify any duplication of provisions and whether the rule exceeds the scope of its authority under the enabling legislation. The Department also solicits stakeholder feedback and public comment to gain the perspective of the field in the

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practical implementation of the rule as well as the costs incurred, or efficiencies achieved by the proposed regulation. As part of its review, the Department's legal counsel also reviews the draft rules to ensure the sufficiency of citations included in the rules.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

The Department's net regulatory restrictions reduction percentage as of June 30, 2024, is 26.04%.

6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.

Not applicable.

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1) Agency

a) *Name: Ohio Environmental Protection Agency*

2) Agency Contact

a) *Name: Mandi Payton*

b) *Email: amanda.payton@epa.ohio.gov*

c) *Contact Number: 614-644-3134*

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

Ohio EPA has taken a multifaceted approach to reducing the number of regulatory restrictions:

1. Revising rules to be federally equivalent, therefore exempting those rules from RC 106 and the requirements of RC 121.95.
2. Reviewing each restriction when the rule is up for amendment or five-year review.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

Ohio EPA prioritizes the review of rules based on effective dates established in accordance with RC 119 and engages stakeholders at the local and federal level to determine necessary amendments to the rules. Ohio EPA then evaluates those amendments based on the criteria in RC 106.03 and the needs of the public. During all reviews, Ohio EPA is doing the following:

1. Removing restrictions that are no longer useful or beneficial.
2. Removing any duplicative restrictions when found.
3. Revising rules to be equivalent with federal law where applicable.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

As of June 30, 2024, Ohio EPA achieved a 15.5% reduction. Between June 30, 2024 and September 9, 2024, Ohio EPA final filed an additional 41 restrictions and original filed an additional 171 reductions. This will result in a total reduction of 16.3%.

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6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.

The Detailed Plan: Ohio EPA is on track to achieve its 20% reduction by the end of 2024. Specifically, Ohio EPA will be achieving the 20% based on reductions in the following rule packages:

- As noted above, between June 30, 2024, and September 13, 2024, an additional reduction of 41 restrictions were final filed, and an additional 171 reductions have been original filed and are in JCARR jurisdiction.
- The Agency plans to original file another 6330 reductions (2.4%) by the end of September, 2024. This would include the five-year review of the infectious waste and voluntary action program rules, both of which the Agency is working through comments from the interested party comment period.
- The standardized permitting rules that will be put out to interested party by the end of September, 2024 and original filed before the December carryover, contain an estimated 493 reductions (2%).

These packages would result in a reduction of 20.6%.

In terms of why the 20% has not been achieved as of the date of this report are as follows: Ohio EPA's rule process is complicated and pursuant to statutory requirements, includes various opportunities for the public and other stakeholders to participate in the process. This process can be slower with packages involving high profile issues or issues that are in active litigation, as well as when there are stakeholders with significant interest in the outcome of the rules. Ohio EPA values stakeholder input and taking the time to work with stakeholders allows the agency to achieve its obligations while also enacting common sense rules for stakeholders, including the regulated community. On average, the agency rule making process is averages 780 days from start to finish. The agency works with the Common Sense Initiative Office to make sure that the responses to comments are appropriate and fair.

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1) Agency – Ohio Department of Health

2) Agency Contact

- a) *Name: Lisa Griffin*
- b) *Email: Lisa.Griffin@odh.ohio.gov*
- c) *Contact Number: 614-644-9164*

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

The Ohio Department of Health remains committed to meeting the regulatory restrictions reduction requirement in law. ODH continues to evaluate and remove regulatory restrictions and minimize regulatory impact when legislatively required to draft new rules.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

ODH conducts programmatic review of current or proposed new rules to ensure necessity, determine flexibility, and prevent overly burdensome requirements. We welcome and encourage stakeholder and constituent feedback regarding the agency's current and proposed rules. Reviewing the criteria described in R.C. 106.03(A) has been incorporated into the department's five-year rule review process. A checklist was developed to ensure agency program and legal staff have considered each criterion while working on rule creation or revisions.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

The Ohio Department of Health has achieved a total regulatory reduction percentage of **21.91%**. 2,765 regulatory restrictions have been removed.

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- 6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.**

N/A.

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1) Agency

a) *Name:* Ohio Department of Higher Education

2) Agency Contact

- a) *Name:* Kathryn Shipley and Michael Graham
b) *Email:* KShipley@highered.ohio.gov and MGraham@highered.ohio.gov
c) *Contact Number:* (614) 387-1023; (614) 752-8810

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

Inventory Reduction as of June 30, 2023 = 47

Inventory Reduction as of June 30, 2024 = 339

In State FY24, the Agency and its statutory partner removed 292 restrictions from their combined inventory in accordance with R.C. 121.95(B) language.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

ODHE and statutory partner OTTA have used the statutorily required five-year review process to determine which regulatory restrictions can be removed from each rule. As each rule comes under a five-year review, ODHE and our statutory partner will continue to review the use of R.C.121.95(B) words and consider removal if federal or state law does not require the use of the words.

Additionally, the Agency considered R.C. 106.03(A) when drafting new rules. The goal was to refrain from using R.C. 121.95(B) words, if possible. ODHE and its statutory partner believes to have met this goal.

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5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

Original (Base) Inventory = 994

Inventory as of June 30, 2024 = 655

Total Reduction Percentage = 34.10% $(994-655)/994=.34104$

Our agency and statutory partner have removed a combined total of 339 restrictions from our inventory in accordance with R.C. 121.95(B) language.

Note: The Ohio Tuition Trust Authority (OTTA), an office within the Chancellor, has 100 regulations included in the ODHE Inventory. However, those 100 regulations are not under the purview of ODHE. OTTA did address the regulatory restrictions in their rule that had a five-year review in 2024, and they will continue to review their regulatory restrictions during the five-year review process for their rules to determine if any restrictions may be removed.

6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.

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1) Agency

a) *Name: Ohio department of insurance*

2) Agency Contact

- a) *Name: Loretta Medved*
b) *Email: loretta.medved@insurance.ohio.gov*
c) *Contact Number: 614-644-0239*

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

As of June 30th, 2024 the department had a reduction percentage of 13.99%.

Following the effective date of 09/13/24 for rules 3901-4-01 & 3901-4-02, the department currently has a reduction percentage of 17.21% with having removed 485 restrictions.

In addition to those already in effect, the department regularly reviews its existing Ohio Administrative Code through a five-year review process. The process starts every year in January and concludes in November. During this review, ODI staff conduct an internal review and send proposed revisions to department stakeholders for feedback. After reviewing comments, the department typically sends proposed rule revisions to the Common Sense Initiative around April-July. Rules are then initially filed with JCARR during the month of August. The June 30th deadline enacted in Senate Bill 9 falls in the middle of the department's annual five-year review. Therefore, the department currently has 32 amend rules under review with JCARR, with an additional 5 to come prior to November 27th, 2024. The proposed reduction count in the aforementioned rules calculates to over 230 additional restrictions removed and will rise the overall reduced percentage to well over 20%.

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Finally, the enactment of SB 175 will require the department to issue a new restriction inventory that no longer includes regulatory restrictions that are necessary to meet the requirements for accreditation by the National Association of Insurance Commissioners' Financial Regulation Standards and Accreditation Committee. The new inventory will reflect additional reductions and will be issued as soon as practicable after the effective date of 10/24/24 for SB 175. This will serve as the departments inventory for this report.

- 4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

While reviewing each rule, the department focuses on the criteria described in R.C. 106.03(A) to help guide its determinations as to which regulatory restrictions to amend or rescind. The department focuses on the entirety of the criteria, and has found that R.C. 106.03(A)(4) (“no longer useful or beneficial”) is one of the criteria that comes up frequently as a reason to amend or rescind the regulatory restriction.

- 5) Indicate net regulatory restrictions reduction percentage, if any, from your agency’s initial January 2020 inventory to June 30, 2024.

As of June 30th, 20224 the department had a reduction percentage of 13.99%. Following the effective date of 09/13/24 for rules 3901-4-01 & 3901-4-02, the department currently has a reduction percentage of 17.21% with having removed 485 restrictions.

- 6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.

As previously mentioned, the department currently has 33 rules under review at JCARR that upon completion in November will result in well over a 20% overall reduction.

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1) Agency

- a) *The Ohio Department of Job and Family Services, and*
- b) *The Ohio Department of Children and Youth*

2) Agency Contact

- a) *Rachel Johanson (ODJFS) / Bryan Stout (DCY)*
- b) rachel.johanson@jfs.ohio.gov / bryan.stout@childrenandyouth.ohio.gov
- c) *614.387.3118 (ODJFS) / 614.466.4902 (DCY)*

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

The Ohio Department of Job and Family Services (ODJFS) and its former offices that have moved to the Ohio Department of Children and Youth (DCY), have jointly made significant progress in reducing regulatory restrictions since the enactment of RC 121.95, eliminating 1,045 restrictions in the administrative code in fiscal year 2024.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

ODJFS/DCY conducts a review of all proposed rule language and changes through the scope of RC 106.3(A) requirements. Both departments seek to minimize any undue constraint or adverse impact on business, local government, or other impacted entities, and in situations when this may be unavoidable, weigh the cost to impacted external entities against the benefit, nature, and federal or state legal requirements of the regulation being promulgated.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

ODJFS and its former offices that have moved to DCY, together have removed 2,054 regulatory restrictions, which represents a 20.53% percent reduction since the initial inventory was conducted in January of 2020.

6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.

Not applicable.

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S.B. 9 – September 15, 2024 Required Report

1) Agency

a) *Name: Ohio Department of Medicaid*

2) Agency Contact

- a) *Name: Tommi Potter*
b) *Email: Tommi.Potter@Medicaid.Ohio.gov*
c) *Contact Number: (614) 752-3877*

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

The Ohio Department of Medicaid (ODM) has surpassed the required reduction of regulatory restrictions by thirteen percent.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

ODM leadership, legal, and policy staff have worked to reduce the number of regulatory restrictions in our inventory by continuing to require that the criteria in RC 106.03(A) be considered in the drafting and review of all our Chapter 119. rules as they progress through the rules process.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

The Ohio Department of Medicaid has reduced our inventory of regulatory restrictions in our Chapter 119. rule by thirty-three percent since our initial January 2020 inventory.

6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.

N/A

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S.B. 9 – September 15, 2024 Required Report

1) Agency

a) *Name:* Ohio Department of Mental Health and Addiction Services

2) Agency Contact

- a) *Name:* Lisa Musielewicz
- b) *Email:* Lisa.Musielewicz@mha.ohio.gov
- c) *Contact Number:* (614) 995-1958

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

2023 Inventory

OhioMHAS reported 1,966 regulatory restrictions as of June 30, 2023.

2024 Inventory

OhioMHAS had 1,642 regulatory restrictions as of June 30, 2024.

Comparison

OhioMHAS reduced its number of regulatory restrictions by 324 during the preceding fiscal year.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

OhioMHAS staff evaluates each rule subject to five-year review with the criteria in R.C. 106.03(A) in mind. Staff pays significant attention to comments received by stakeholders, especially where stakeholders express that a rule may have an adverse impact on business or any other person or entity (see R.C. 106.03(A)(7) and (8)). Staff also particularly

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considers whether federal law/regulation or state law/another state rule already addresses the topic (see R.C. 106.03(A)(6)).

One example of staff considering a potential adverse impact on business is OhioMHAS's review of the seclusion and restraint rules applicable to private psychiatric hospitals (O.A.C. 5122-14-10). Several commentators asked OhioMHAS to reconsider its original proposal to outright prohibit transitional holds as they use this intervention as a last resort when there is an imminent risk of harm to the patient, other patients, or staff when no other reasonable alternative exists. They said that private psychiatric hospitals around the state have found that patients are coming in with more acute needs and this has led to an increase in violence against other patients and staff. It is negatively affecting business in terms of staff retention.

OhioMHAS carefully considered these comments and the fact that it had more recently made changes to its seclusion and restraint rules applicable to community behavioral health providers. In response, OhioMHAS decided to make O.A.C. 5122-14-10 more consistent with these other rules. OhioMHAS also determined that the change would align its rules with similar rules adopted by the Ohio Department of Job and Family Services, thereby providing consistency across regulatory entities.

One example of staff considering duplicative state regulation is that OhioMHAS removed the provision in O.A.C. 5122-14-03 requiring OhioMHAS-licensed beds to also be registered with the Ohio Department of Health. A regulatory burden is now eliminated because licensees will no longer have to make reports to two different agencies.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

342 regulatory restrictions eliminated from 7/1/2023 – 6/30/2024

321 regulatory restrictions eliminated from 2020 through 6/30/2023

TOTAL = 663 regulatory restrictions eliminated to date

663 eliminated to date / 2,287 regulatory restrictions in 2020 inventory = .289 (rounded up to .29)

.29 x 100 = 29%

OhioMHAS calculates a net reduction percentage of 29% from its initial January 2020 base inventory to June 30, 2024.

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- 6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.**

Not applicable.

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S.B. 9 – September 15, 2024 Required Report

1) Agency

a) *Name:* Ohio Department of Natural Resources

2) Agency Contact

- a) *Name:* Nathan Moffitt
b) *Email:* nathan.moffitt@dnr.ohio.gov
c) *Contact Number:* 614-265-6836

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

ODNR staff worked diligently over the past year to identify rules that can be amended or rescinded to reduce regulatory restrictions. Between July 1, 2023 and June 30 2024, ODNR staff successfully eliminated over 1,900 regulatory restrictions.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

ODNR reviewed its administrative rules to determine whether each rule should be amended or rescinded for the purpose of reducing regulatory restrictions with a particular focus on rules that are no longer useful or beneficial, rules that create a compliance or oversight burden that is greater than the burden that would be created if the agency accomplished the intended purpose of the restriction by other means, and rules that have an adverse impact on either a business, person or entity.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

Initial Inventory: **8,698**
Net Reductions: **2,731**
Current Inventory: **5,967**
Percent Reduced: **31.39%**

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- 6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.**

N/A

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S.B. 9 – September 15, 2024 Required Report

1) Agency

a) *Name:* Ohio Casino Control Commission

2) Agency Contact

a) *Name:* Andromeda Morrison

b) *Email:* Andromeda.morrison@casinocontrol.ohio.gov

c) *Contact Number:* 614-387-5616

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

During the review of its regulatory restrictions during the preceding fiscal year, the Commission discovered two rules that were rescinded in fiscal year 2023 but not reflected in the overall restriction count. This unintentional omission of the rescission of Ohio Adm.Code Rules 3772-15-05 and 3772-15-06 resulted in the reduction of 23 restrictions. As such, the 978 regulatory restrictions reported in the fiscal year 2023 report should have been reported as 955, reflecting the additional reduction of 23 regulatory restrictions. The Commission's current inventory of 955 regulatory restrictions is a 20.5% reduction from its base 2020 regulatory restriction count.

Additionally, the Commission has three rule packages currently going through the JCARR process that will result in the reduction of approximately 80 additional restrictions. The Commission anticipates these regulations being rescinded by the end of October. While not rescinded in fiscal year 2024, the Commission spent fiscal year 2024 identifying restrictions that could be removed while protecting the integrity of casino gaming, drafting the revisions, soliciting stakeholder comment, and beginning the CSI and JCARR process.

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- 4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.**

The Commission consistently applies R.C. 106.03 while reviewing rules, including to those that the Commission is currently editing, as well as those working their way through the CSI and JCARR processes. Generally, as upcoming rescissions will illustrate, the Commission often applies (A)(3), determining that application processes can be simplified and regulatory oversight can be streamlined without compromising the integrity of casino gaming, skill-based amusement machines, or fantasy contests. Additionally, the Commission applies (A)(4) to rules that are no longer useful because of changes to Ohio law or Administrative Code, or because the rules were intended to be temporary in nature.

- 5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.**

As discussed, the net reduction in restrictions from 2020 is 20.5%.

- 6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.**

Not applicable.

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S.B. 9 – September 15, 2024 Required Report

1) Agency

a) *State Lottery Commission*

2) Agency Contact

- a) *Name: Ian Litherland*
b) *Email: Ian.Litherland@lottery.ohio.gov*
c) *Contact Number: (216) 339-7993*

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

The Lottery is actively working to reduce regulatory restrictions. From July 2023 to June 2024, we have been engaged in a continuous and sustained effort, as outlined in our detailed plans reflected in question six (6) of this document.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

The Lottery continues to review its rules as it relates to reducing base inventory regulatory restrictions. The continued efforts are being made in accordance with R.C. 106.03(A). As an example, the Lottery as a state agency, partners with our Lottery Sales Agents in the sale of Lottery products. During five-year rule reviews, we have an obligation to notify identified stakeholders to ensure adequate review of any and all proposed changes in proposed rules. The Lottery proposes administrative rules that align with industry best practices for the sale of lottery products, all the while ensuring that Lottery operations are conducted with the highest levels of integrity and oversight for any impacted business or community partner (e.g., Lottery Sales Agents). At times, there are recognized business impacts on Lottery Sales Agents and Video Lottery Sales Agents, for example. The Lottery will continue to review all of its rules and reduce, where allowable, any unnecessary or burdensome regulatory language. The Lottery will accomplish this goal while safeguarding the integrity of Lottery products and services. The Lottery will

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also review any future rules being promulgated, where federal law is included, and ensure that the rule is not more stringent or burdensome than law allows.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

At this time, the Lottery percentage for complying with SB. 9 is around 12%. While we were below the 20% requirement, we did begin amending several rule packages earlier in the year. One package was "final filed" with ERF on July 23, 2024, and the other is awaiting JCARR jurisdiction to end on September 30, 2024, where we will "final file" at that time. It should also be noted, several additional upcoming rule package amendments are in various stages of completion but are projected to put the Lottery well above the 30% for the next fiscal year (FY) requirement.

Of the 531 identified regulatory restrictions, we would need to remove a minimum of 159 to achieve the 30% reduction by end of FY 2025. Thus far, we have amended or will amend around 148 regulatory restrictions, or about 28% for the current fiscal year of 2025. Again, while we were below the required 20% for FY 2024, we are actively working toward reducing additional regulatory reductions, as detailed further in question six (6). Additionally, we have rescinded, and/or amended Lottery game rules that were filed under 119.03, removing those regulatory restrictions altogether as well.

6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.

As noted, the Lottery continues to review rules and make the necessary changes to remove regulatory restrictions in compliance with SB. 9. Lottery staff has actively been working to reduce unnecessary and burdensome language as it relates to the base inventory regulatory restrictions. As a result of this work, and at the time of this submission we have rescinded three (3) administrative game rules promulgated under section 119.03. We have amended and final filed with Electronic Rule Filing (ERF) fifteen (15) rules that reduced regulatory restrictive language. In addition, thirty (30) rules have been filed as "no-change" as a result of the five-year rule review (FYR) process.

It is important to note that while amended rules for regulatory restrictions had started earlier in the year, they were final filed after the fiscal year cutoff in July. The Lottery is somewhat unique in the way administrative rules are processed internally. Amended rules begin their journey by being internally reviewed but are then presented to the Lottery Commissioners at meetings held only once per month. Often, the rules will not be approved for a period of 30-45 days after all the necessary internal reviews are completed, which again is about 30 days in most instances. Once a rule is approved in proposed form at the Lottery Commission meeting, a rule summary fiscal analysis

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(RSFA) is completed, and the rule is scheduled for a public hearing where a court reporter is needed, before subsequently being filed with ERF. Once JCARR jurisdiction ends, the rules are again placed on a Lottery Commission meeting agenda to be read in “final” form often the following month of the JCARR hearing. If approved by commissioners in final form, they are then final filed at the earliest opportunity.

The following synopsis is a detail of the plan to ensure that the Lottery meets all the obligations set forth in SB. 9 for future reporting periods.

Five (5) amended rules are with the Joint Committee on Agency Rule Review (JCARR) at the time of this submission and will be pending a final reading and approval at an upcoming Lottery Commission meeting, prior to being final filed with ERF on or after JCARR jurisdiction ends on September 29, 2024.

Six (6) rules were submitted to the Common-Sense Initiative (CSI) on July 16, 2024, and on September 11, 2024, the Lottery received CSI review and recommendation letters. The Lottery is currently reviewing these and will make any necessary changes to the rules prior to them being presented at an upcoming Lottery Commission meeting in proposed form. Once presented, their RSFA will be completed, and they will be filed with ERF and scheduled for a public hearing.

Four (4) additional amended rules are pending their proposed form approval at an upcoming Lottery Commission meeting. Once through this process, they will have their RSFA finalized, reviewed and approved for their respective ERF filing.

Five (5) amended rules are under internal review by Chief Legal to ensure legal sufficiency and that the recommended changes meet legal requirements. Once approved, they will be sent to identified stakeholders for comments. Once the comment period ends, we will again review and submit the rules to CSI to have their Business Impact Analysis (BIA) completed.

Eight (8) amended rules are being internally reviewed to ensure that they meet current agency practices and reflect current vernacular used by the agency. The legal department has received comments from internal division directors for recommended updates. Once these updates are reviewed and approved by Lottery Chief Legal, the rules will be presented at an upcoming Lottery Commission meeting in “proposed” form. They will then have their RSFA completed, reviewed, and approved for filing with ERF and public hearing being scheduled.

Three (3) rules are being reviewed for their upcoming 2025 Five-year rule review (FYR). These rules have been sent to internal division directors for review and comment. Once returned, they will be reviewed against the regulatory restrictions base inventory and see where reductions may be made and will begin the amended rule filing process.

The Lottery is actively working to meet the SB. 9 requirements and will continue to ensure that we meet all upcoming requirements for fiscal year 2025. It should be noted

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that in addition to administrative rules listed above, the Lottery continued to complete FYR on rules that were completed as “no-change” filings.

In addition, the Lottery rescinded game rules filed under section 111.15, removing additional items from the Ohio Administrative Code. These rules, while exempted by SB. 9 regulatory restrictions, have undergone an extensive internal review processes to ensure that agency operations are not impacted by their rescission. In total, the Lottery rescinded 158 additional administrative game rules under section 111.15, between July 2023 and September 2024.

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S.B. 9 – September 15, 2024 Required Report

1) Agency

a) *Name:* [Ohio Department of Public Safety](#)

2) Agency Contact

- a) *Name:* [Joseph A. Kirk](#)
b) *Email:* jakirk@dps.ohio.gov
c) *Contact Number:* [614-466-5605](tel:614-466-5605)

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

The Department changed its process for review of rules as described below following the implementation of Senate Bill 9. Additionally, Chapter 4765 and 4766 comprising Emergency Medical Services were removed from the inventory after it was determined they should not have been included in the original inventory. The Department continues to monitor legislation, and work with stakeholders to reduce regulatory restrictions where possible.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

The Department made changes to the way it processes rules for five-year review following the implementation of Senate Bill 9. The rule is reviewed for changes that need to be made based on several factors including legislative changes, changes to practice, and changes in stakeholder needs. After that, rules are again reviewed for anywhere regulatory restrictions can be eliminated. Some restriction may need to be added, but the Department continues to adhere to the “2 for 1” requirements in ORC 121.95. Occasionally, the Department has had to eliminate regulatory restrictions in an unrelated rule to add necessary regulatory restrictions in a new or amended rule.

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- 5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.**

The Department has reduced regulatory restrictions by a total of 1,182 restrictions through June 30, 2024 for a total reduction of approximately 20.18%.

- 6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.**

The Ohio Department of Public Safety met the required 20% reduction in regulatory restrictions by June 30, 2024.

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S.B. 9 – September 15, 2024 Required Report

1) Agency

- a) *Name:* Public Utilities Commission of Ohio¹

2) Agency Contact

- a) *Name:* Jeffrey R. Jones, Legal Director
b) *Email:* jeffrey.jones@puco.ohio.gov
c) *Contact Number:* 614-466-0463

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

During the past year, the Public Utilities Commission of Ohio (PUCO) has conducted five-year rule and regulatory restriction reduction reviews for approximately 16 rule chapters. The PUCO eliminated 3445 restrictions, factoring in restriction reductions, typographical errors in the original base inventory, and accounting for the 2 for 1 for any added restrictions pursuant to R.C. 121.95(F).

The PUCO's rule process provides various avenues to receive feedback from stakeholders including workshops, written comments, and opportunities for rehearing of the Commission's final order adopting rules. Throughout the process, the PUCO looked for opportunities to reduce regulatory restrictions per the statutory guidance provided by the Ohio General Assembly.

¹ Pursuant to R.C. 121.95(A), the Ohio Power Siting Board, Underground Technical Committee, and PUC Nominating Council are included.

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- 4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.**

The PUCO removed obsolete, duplicative, or redundant regulations and process requirements to streamline rules.

For example, when reviewing the Ohio Power Siting Board (OPSB) rules, the OPSB consolidated the regulations of two chapters into one chapter thereby removing duplicative and redundant regulations and eliminating obsolete provisions. This resulted in the elimination of Ohio Adm.Code Chapter 4906-5 and the regulations contained therein.

- 5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.**

The PUCO reduced restrictions by a total of 33% from the initial January 2020 inventory to the June 30, 2024 inventory, factoring in the 2 for 1 reduction accounting requirement pursuant to R.C. 121.95(F).

- 6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.**

Not applicable.

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S.B. 9 – September 15, 2024 Required Report

1) Agency: Ohio Department of Rehabilitation and Correction (ODRC):

2) Agency Contact

- a) Name: Joseph Gruber, Chief Legislative Officer, ODRC
- b) Email: joseph.gruber@odrc.state.oh.us
- c) Phone: 614-805-4445

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

Under the Ohio Revised Code, ODRC has the obligation to ensure that incarcerated persons who are sentenced to ODRC's custody are housed in a safe and secure environment which encourages personal rehabilitation through programming, meaningful activities, visitation, recreation and reentry planning. ODRC is also required to provide community corrections and state supervision operations. In order to meet these public safety objectives, ODRC currently has 210 administrative rules (down from 220 Administrative rules last year), the vast majority of which impact prison and supervision operations. Only a few administrative rules have some impact for Ohioans conducting business with ODRC. This past fiscal year, ODRC has reviewed its administrative rules as they come up for five-year review and identified opportunities to remove regulatory restrictions. Going forward, ODRC will focus on actively searching its base inventory of regulatory restrictions for opportunities to further reduce the number of those restrictions.

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- 4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.**

In reviewing its administrative rules, ODRC staff receive advice and counsel from ODRC legal services staff on how to apply and interpret the listed criteria in RC 106.03(A) to determine whether any of them apply to consideration of reducing regulatory restrictions.

- 5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.**

ODRC's January 2020 inventory of regulatory restrictions totaled 2,644. Of that group, 1,739 restrictions are expressly required by State law. The remaining 880 restrictions were promulgated under ODRC's general rule making authority. ODRC has reduced the total number of restrictions by 577 from its initial January 2020 inventory. This reduction equates to 21.8% of the total restrictions and 65.5% of the group of 880 generally promulgated restrictions.

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S.B. 9 – September 15, 2024 Required Report

1) Agency

a) *Name: Ohio State Racing Commission*

2) Agency Contact

- a) *Name: Tanya Boulmetis*
b) *Email: Tanya.Boulmetis@racing.ohio.gov*
c) *Contact Number: (614) 779-0277*

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

The Racing Commission has worked diligently with our stakeholders to be fully compliant with SB-9 requirements.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

a) Regulatory restrictions are being removed whenever possible when rules are being amended, adopted, or reviewed for a 5-year rule review.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

This agency has reduced regulatory restrictions by 45%

6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.

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S.B. 9 – September 15, 2024 Required Report

1) Agency

a) *Name:* The Ohio Department of Taxation (“ODT”)

2) Agency Contact

- a) *Name:* Katherine Hunter
b) *Email:* katherine.hunter@tax.ohio.gov
c) *Contact Number:* 614-995-0359

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

During the previous fiscal year, ODT filed amended rules with JCARR eliminating 359 regulatory restrictions.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

ODT continues to review its rule inventory to consider if existing regulatory restrictions are necessary to ensure effective and efficient administration of Ohio’s taxes. When a regulatory restriction or rule is unnecessary or can be accomplished by less restrictive means, ODT has taken steps to amend or rescind the rule, as appropriate, to remove the regulatory restriction. This review process is continuous and ongoing based on changes in law or circumstances surrounding the administration of the taxes.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency’s initial January 2020 inventory to June 30, 2024.

As of June 30, 2024, ODT has final filed rules which result in the removal of 396 net regulatory restrictions (a 25.75% decrease).

OHIO GENERAL ASSEMBLY
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- 6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.**

Not applicable.

OHIO GENERAL ASSEMBLY
JOINT COMMITTEE ON AGENCY RULE REVIEW

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S.B. 9 – September 15, 2024 Required Report

1) Agency

- a) *Name:* Ohio Department of Transportation (ODOT)

2) Agency Contact

- a) *Name:* Brianne Brown
b) *Email:* brianne.brown@dot.ohio.gov
c) *Contact Number:* (614) 466-7440

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

ODOT has reduced its regulatory restrictions by 10.95% over the preceding fiscal year.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

ODOT has consolidated and streamlined a large number of rules in several of its rule chapters, rescinding redundancies and removing unnecessary regulatory restrictions that were not otherwise mandated by state or federal law. ODOT eliminated parts of its rules that were no longer useful or beneficial.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

33.18%

6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.

N/A- ODOT has achieved and exceeded full compliance with the 30% reduction in regulatory restrictions mandated by Ohio Revised Code Section 121.951(A)(1)(c).

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S.B. 9 – September 15, 2024 Required Report

1) Agency

a) *Name: Department of Veteran Services*

2) Agency Contact

- a) *Name: Dom Ciano*
- b) *Email: dominic.ciano@dvs.ohio.gov*
- c) *Contact Number: 614-915-5021*

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

The Department has re-evaluated and submitted two re-written rules for section 5907 of the Administrative Code which oversees the Ohio Veterans Home. They were re-written to streamline language regarding the admissions process to the Ohio Veterans Home as well as make much needed updates to the assessment of fees. The changes eliminated 53 regulatory restrictive terms and provide much more clear language in regards to the operations of Ohio's two veterans nursing homes.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

The Department analyzed every rule in our section of the OAC and used each of the 12 criteria described in R.C. 106.03(A). We were able to adjust language in some rules to eliminate burdensome language and bring the rules up to date with today's operating procedures in chapter 5907.

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5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

In reducing 53 restrictive terms in section 5907 we were able to this year alone decrease our restrictions by 23%. Before this the department had 229 restrictive terms that has been reduced to 176.

Furthermore, the Department previously was able to identify two entire sections of OAC that were outdated and eliminate them from the code. The first was in regards to the Ohio Veterans Children's Home (previous section 5909) which had not been in operation for decades. Secondly, we were able to eliminate the section of code regarding the Vietnam Veterans Bonus (previous section 129:1) program which also has been nonexistent for decades. That along with an elimination of a rule in section 5902 in previous years (DVS other section of Administrative Code) exemplify the Department's commitment to reducing regulatory restrictions in the Ohio Administrative Code.

6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.

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S.B. 9 – September 15, 2024 Required Report

1) Agency

a) *Name:* Department of Youth Services

2) Agency Contact

- a) *Name:* Ellen Miller
b) *Email:* ellen.miller@dys.ohio.gov
c) *Contact Number:* 614-728-4931

3) Describe the progress your agency has made in reducing regulatory restrictions over the preceding fiscal year from July 1, 2023, to June 30, 2024.

DYS has removed an additional 124 regulator words over the preceding fiscal year. Our total number is now 410 or 31.10% which meets the June 2025 requirement of 30%.

4) Explain how your agency has applied the criteria described in R.C. 106.03(A) to its determinations as to which regulatory restrictions to amend or rescind.

For the purpose of reducing regulatory restrictions.

5) Indicate net regulatory restrictions reduction percentage, if any, from your agency's initial January 2020 inventory to June 30, 2024.

31.10%

6) If your agency did not achieve the required 20% reduction in regulatory restrictions, describe the reason(s) why and detail the plans to bring the agency into compliance.

Not applicable, DYS has already met the June 2025 requirement of 30%.