



MIKE DEWINE
GOVERNOR
STATE OF OHIO

Executive Order 2021-07D

The Emergency Amendment of Rules 5123-9-06, 5123-9-14, 5123-9-17, 5123-9-33, and 5123-9-39 of the Ohio Administrative Code by the Ohio Department of Developmental Disabilities

WHEREAS, the Ohio Department of Developmental Disabilities (DODD) is the designated State agency to administer programs and services for Ohioans with developmental disabilities; and

WHEREAS, Ohioans with developmental disabilities have a dramatic increased need for the virtual delivery of services to continue to live independently and remain integral members of the communities in which they live; and

WHEREAS, to better serve these Ohioans, to protect and promote their health and safety, and to maximize the efficient use of system resources, there is a need for DODD to broaden virtual services and lift certain payment restrictions; and

WHEREAS, DODD has an immediate need to amend the rules governing these programs and services for Ohioans with developmental disabilities to prevent disruption in the delivery of services and to continue to protect and promote their health and safety; and

WHEREAS, Chapter 5123 of the Ohio Revised Code authorizes DODD to promulgate rules relating to the administration of programs and services for Ohioans with developmental disabilities; and

WHEREAS, Section 119.03(G) of the Ohio Revised Code authorizes the Governor, on the request of a State agency, to suspend the normal rule making procedures with respect to specific rules when an emergency exists necessitating the immediate adoption, amendment, or rescission of such rules. When such a determination is made, the agency may immediately adopt, amend, or rescind such rules, but the rules are only valid for one hundred and twenty (120) days; and

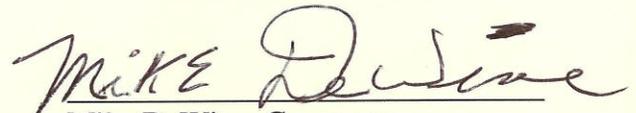
WHEREAS, DODD has requested a determination whether an emergency exists that requires the amendment of rules 5123-9-06, 5123-9-14, 5123-9-17, 5123-9-33, and 5123-9-39 of the Ohio Administrative Code on an emergency basis and that would therefore permit DODD, pursuant to Chapter 5123 of the Ohio Revised Code, to immediately amend these rules.

NOW THEREFORE, I, Mike DeWine, Governor of the State of Ohio, have determined, upon the request of DODD, that an emergency exists requiring the immediate amendment of rules 5123-9-06, 5123-9-14, 5123-9-17, 5123-9-33, and 5123-9-39 of the Ohio Administrative Code.

I hereby order that the procedures prescribed by Section 119.03 of the Ohio Revised Code with respect to the amendment of the specified rules be suspended and that DODD be permitted to amend the rules immediately by filing them electronically with the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review (“JCARR”).

Furthermore, I hereby order that this Executive Order be filed in electronic form with DODD, the Secretary of State, the Director of the Legislative Service Commission, and JCARR.

I signed this Executive Order on June 17, 2021, in Columbus, Ohio, and it will expire one hundred and twenty (120) days from the effective date of the emergency rules, or upon the adoption of the rules through the normal JCARR process, whichever is sooner.


Mike DeWine, Governor



ATTEST:

Frank LaRose, Secretary of State