

134th General Assembly
Regular Session
2021-2022

Sub. H. C. R. No. 21

A C O N C U R R E N T R E S O L U T I O N

To rescind certain orders and rules in whole or in part. 1

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF OHIO (THE SENATE CONCURRING):

WHEREAS, The General Assembly has authority under section 2
101.36 of the Revised Code, as enacted by S.B. 22 of the 134th 3
General Assembly and effective June 23, 2021, to rescind, in 4
whole or in part, a special or standing order or rule for 5
preventing the spread of contagious or infectious disease issued 6
by the Department of Health under section 3701.13 of the Revised 7
Code; and 8

WHEREAS, The General Assembly has authority under section 9
107.43 of the Revised Code, as enacted by S.B. 22 of the 134th 10
General Assembly and effective June 23, 2021, to rescind, in 11
whole or in part, any order or rule issued or adopted by an 12
administrative department, administrative department head, state 13
agency, or statewide elected officer in response to a state of 14
emergency; now therefore be it 15

RESOLVED, That we, the members of the 134th General 16
Assembly of the State of Ohio, hereby rescind, in whole, all of 17
the following: 18

"Director's Seventh Amended Order to Permit Access to 19



Ohio's Nursing Homes, with Exceptions," issued by the Director	20
of Health under section 3701.13 of the Revised Code on March 22,	21
2021;	22
"Director's Amended Order to Permit Access to Ohio's	23
Residential Care Facilities, with Exceptions," issued by the	24
Director of Health under section 3701.13 of the Revised Code on	25
March 22, 2021;	26
"Director's Amended Order for the Testing of the Residents	27
and Staff of all Residential Care Facilities," issued by the	28
Director of Health under section 3701.13 of the Revised Code on	29
May 4, 2021;	30
"Director's Amended Order for the Testing of the Residents	31
and Staff of all Nursing Homes," issued by the Director of	32
Health under section 3701.13 of the Revised Code on May 4, 2021;	33
"Director's Order to Limit Access to Ohio's Intermediate	34
Care Facilities for Individuals with Intellectual Disabilities	35
(ICF/IID) and to Permit Visitation," issued by the Director of	36
Health under section 3701.13 of the Revised Code on September	37
24, 2020;	38
"Director's Order Requiring Reporting and Notification	39
Regarding COVID-19 Cases in Kindergarten through Twelfth Grade	40
Schools," issued by the Director of Health under section 3701.13	41
of the Revised Code on September 3, 2020;	42
"Health Screening for Admission to State Operated	43
Psychiatric Hospitals or to DYS Facilities," issued by the	44
Director of Health under section 3701.13 of the Revised Code on	45
March 14, 2020;	46
"Executive Order 2020-24D: Unemployment Insurance During	47
COVID-19 Pandemic," issued by Governor DeWine on June 16, 2020;	48
Rule 5160-3-80 of the Administrative Code; and be it	49

further 50

RESOLVED, That we, the members of the 134th General 51
Assembly of the State of Ohio, hereby rescind, in part as 52
indicated, the following: 53

The portion of Rule 173-3-06.2 of the Administrative Code 54
in division (B) (5) (f) that states, "During a state of emergency 55
declared by the governor, the provider may verify each job 56
provided without collecting the unique identifier."; 57

The portion of Rule 173-3-06.3 of the Administrative Code 58
in division (B) (9) (f) that states, "During a state of emergency 59
declared by the governor, the provider may verify each job 60
provided without collecting the unique identifier."; 61

The portion of Rule 173-3-06.6 of the Administrative Code 62
in division (B) (4) (a) that states, "During a state of emergency 63
declared by the governor, the provider may verify each trip 64
provided without collecting the unique identifier if the 65
provider also collects the driver's signature as an attestation 66
to the completion of the trip."; 67

Division (C) of Rule 173-4-04 of the Administrative Code; 68

Division (F) (3) of Rule 173-4-05.3 of the Administrative 69
Code; 70

Division (B) (5) (c) of Rule 173-4-10 of the Administrative 71
Code; 72

Division (B) (4) (c) of Rule 173-4-11 of the Administrative 73
Code; 74

Division (E) (6) (g) of Rule 173-39-04 of the Administrative 75
Code; 76

The following portions of Rule 173-40-03 of the 77
Administrative Code: the portion of division (A) (1) that states, 78

"or during a state of emergency declared by the governor"; the 79
portion of division (A) (2) (a) that states, ", unless ODA's 80
director approves an extended number of days"; the portion of 81
division (A) (2) (b) that states, ", unless ODA's director 82
approves an extended number of days"; 83

The following portions of Rule 173-51-03 of the 84
Administrative Code: the portion of division (A) (1) that states, 85
"or during a state of emergency declared by the governor"; the 86
portion of division (A) (4) that states, ", unless ODA's director 87
approves an extended number of days"; 88

Division (O) of Rule 5101:2-16-10 of the Administrative 89
Code; 90

Division (C) of Rule 5122-30-27 of the Administrative Code; 91

Division (H) of Rule 5123-2-04 of the Administrative Code; 92

Division (I) of Rule 5123-6-07 of the Administrative Code; 93

Division (K) of Rule 5123-9-01 of the Administrative Code; 94

Division (M) of Rule 5123-9-06 of the Administrative Code; 95

Division (H) of Rule 5123-9-07 of the Administrative Code; 96

Division (H) of Rule 5123-9-31 of the Administrative Code; 97

Division (G) of Rule 5123-9-34 of the Administrative Code; 98

Division (M) of Rule 5123-10-01 of the Administrative Code; 99

Division (Q) of Rule 5123-10-02 of the Administrative Code; 100

Division (I) of Rule 5123-10-03 of the Administrative Code; 101

Division (Q) of Rule 5123-17-02 of the Administrative Code; 102
and be it further 103

RESOLVED, That the Clerk of the House of Representatives 104
transmit duly authenticated copies of this resolution to the 105

Director of Health, the Governor, the Director of Aging, the 106
Superintendent of Public Instruction, the Director of Job and 107
Family Services, the Director of Mental Health and Addiction 108
Services, the Director of Developmental Disabilities, the 109
Medicaid Director, and the news media of Ohio. 110