

**As Reported by the Senate Health, Human Services and Medicaid
Committee**

**133rd General Assembly
Regular Session
2019-2020**

S. C. R. No. 10

Senator Lehner

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

To approve the Director of Health's proposed revision of 1
Chapter 3701-36 of the Ohio Administrative Code 2
establishing standards to be met by boards of health 3
and local health departments and procedures for 4
payment of state subsidies for meeting those 5
requirements. 6

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

WHEREAS, Ohio law requires the Director of Health to adopt 7
rules establishing both minimum standards and optimum achievable 8
standards for boards of health and local health departments and 9
a formula for distributing state subsidy funds according to the 10
level at which those standards are met; and 11

WHEREAS, The rules have been adopted as required by section 12
3701.342 of the Revised Code and are included in Chapter 3701-36 13
of the Administrative Code; and 14

WHEREAS, The Director of Health issued a notice of public 15
hearing for August 1, 2018, to hear comments regarding its 16
proposal to revise Chapter 3701-36 of the Administrative Code by 17
amending rules 3701-36-01, 3701-36-02, 3701-36-03, 3701-36-05, 18
3701-36-11, and 3701-36-14, rescinding and proposing new rules 19

3701-36-10 and 3701-36-12, and rescinding rules 3701-36-04 and 20
3701-36-13; and 21

WHEREAS, The Director of Health's proposed revision of 22
Chapter 3701-36 of the Administrative Code includes standards 23
for protecting people from disease and injury, monitoring health 24
status, assuring a safe and healthy environment, promoting 25
healthy lifestyles, and addressing the need for personal health 26
services, as well as procedures for payment of state subsidies 27
for meeting those standards; and 28

WHEREAS, On August 1, 2018, the Department of Health 29
conducted a public hearing on its proposed revision of Chapter 30
3701-36 of the Administrative Code, and on August 13, 2018, the 31
Joint Committee on Agency Rule Review considered the proposed 32
revision of Chapter 3701-36 and took no action against it; and 33

WHEREAS, Section 3701.342 of the Revised Code provides that 34
rules adopted by the Director of Health pursuant to that section 35
cannot take effect unless approved by concurrent resolution of 36
the General Assembly; now therefore be it 37

RESOLVED, That we, the members of the 133rd General 38
Assembly of the State of Ohio, in adopting this concurrent 39
resolution, approve the Director of Health's proposed revision 40
of Chapter 3701-36 of the Administrative Code, as considered in 41
a public hearing on August 1, 2018, and by the Joint Committee 42
on Agency Rule Review on August 13, 2018; and be it further 43

RESOLVED, That the Clerk of the Senate transmit duly 44
authenticated copies of this resolution to the Director of 45
Health, the Director of the Joint Committee on Agency Rule 46
Review, and the Director of the Legislative Service Commission. 47