



## Ohio Revised Code Section 3722.06 Rules.

Effective: September 30, 2021

Legislation: House Bill 110

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(A) Not later than the date that is one year after the effective date of this section , the director of health shall adopt rules establishing health, safety, welfare, and quality standards for hospitals licensed under this chapter, including standards for all of the following:

- (1) Maternity units;
- (2) Newborn care nurseries;
- (3) Health care services.

(B) Not later than the date that is one year after the effective date of this section , the director shall adopt rules establishing standards and procedures for the licensure of hospitals, including all of the following:

- (1) Procedures for applying and renewing licenses as described in section 3722.03 of the Revised Code;
- (2) Procedures for transferring licenses as described in section 3722.04 of the Revised Code;
- (3) Procedures for inspections following complaints;
- (4) Subject to division (C)(1) of this section, fees for initial applications, license renewals, and license transfers, as well as inspections conducted under section 3722.05 of the Revised Code;
- (5) Subject to division (C)(2) of this section, standards and procedures for imposing civil penalties as described in section 3722.07 of the Revised Code;
- (6) Subject to division (C)(3) of this section, standards and procedures for correcting violations,



including through the submission of correction plans;

(7) Standards and procedures for identifying, monitoring, managing, reporting, and reducing exposures to risk conditions, such as Legionella, including through the use of environmental facility assessments, the development of water management plans, and the use of disinfection measures;

(8) Standards and procedures for data reporting;

(9) Standards and procedures for emergency preparedness;

(10) Standards and procedures for the provision of technical assistance as described in section 3722.09 of the Revised Code;

(11) Standards and procedures for new hospitals to demonstrate eligibility as described in division (B)(2) of section 3722.03 of the Revised Code;

(12) Standards and procedures to address changes to a hospital's license, including adding or removing a location of the hospital.

(C)(1) In the case of an inspection fee described in division (B)(4) of this section, the director shall establish an amount to cover only the cost of the inspection. All other fees established under that division shall be limited to what is necessary to support the hospital licensure program.

(2) The director shall establish a scale for use in determining the amount of a civil penalty that may be imposed under section 3722.07 of the Revised Code. The scale shall include per day amounts for ongoing violations. The total amount of a civil penalty shall not exceed two hundred fifty thousand dollars for each violation.

(3) The director shall accept a corrective action plan that also was accepted by the federal centers for medicare and medicaid services or an accrediting organization approved under 42 U.S.C. 1395bb(a) provided that the plan was submitted to the centers or organization in response to the same deficiencies identified by the director.



(D) The director may adopt any other rules as necessary to implement this chapter.

(E) When adopting rules under this section, all of the following apply:

(1) The director shall adopt the rules in accordance with Chapter 119. of the Revised Code;

(2) Any rules adopted are not subject to division (F) of section 121.95 of the Revised Code;

(3) The director shall collaborate with representatives of this state's hospital industry to maximize the public health utility of rules adopted under this section and limit the administrative burden of and costs of complying with such rules.

(4) The director shall not adopt rules that conflict with requirements under federal laws or regulations.