



Ohio Administrative Code

Rule 4146-9-01 Content of decisions and orders; sending by electronic means or mailing of decisions and orders; revision of decisions and orders; copies of decisions and orders.

Effective: August 17, 2015

(A) The review commission or the hearing officer, as soon as administratively feasible after the close of all proceeding in a case shall issue a written decision which shall affirm, modify or reverse the prior decision. The decision shall be based upon evidence in the record, and consideration of arguments on the record, and shall set forth findings of fact and the reasons for the legal conclusions reached on the issues; provided, that in respect to a request for review, the review commission shall issue a written order granting or denying such request as provided in rule 4146-25-02 of the Administrative Code. If the review commission's decision or order is not unanimous, the vote of the majority of members shall control, and the dissent shall be noted on such decision or order. The dissenting member may append to the decision or order an opinion in the case.

(B) Copies of decisions of hearing officers and decisions and orders of the review commission, including dissenting opinions, shall be sent by electronic means or mailed to each interested party, and shall set forth the date the decision or order is sent or mailed and a clear statement of statutory appeal rights.

(C) Within the twenty-one calendar day period immediately following the date the hearing officer's decision is sent by electronic means or mailed, or within the thirty calendar day period immediately following the date the decision or order of the review commission is sent or mailed, the hearing officer or the review commission who issued such decision or order may vacate and set aside such decision or order, and make such changes and revisions therein as are just and proper; provided, jurisdiction has not been removed to a higher authority. Copies of such revised decision or order shall be sent by electronic means or mailed to the interested parties with the date the decision or order is sent or mailed and a clear statement of statutory appeal rights as provided in paragraph (B) of rule 4146-9-01 of the Administrative Code.

(D) Copies of decisions of hearing officers and decisions and orders of the review commission shall be kept on file at the office of the review commission.