



## Ohio Administrative Code

### Rule 3304:1-21-08 Reporting service charge and co-pay.

Effective: January 1, 2016

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(A) All reports shall be submitted in a format prescribed by BE for each facility for which that operator is responsible under a BOA and or BTOA. Should BE consider substantive changes in the format it prescribes, BE will actively participate with OVRC before implementation.

(B) Effective October 1, 2016 electronic submission, which shall include telephone reporting, is mandatory for all operators. BE may grant a temporary waiver to the requirement for electronic submission. The temporary waiver shall not exceed six months without active participation with the OVRC. BE shall actively participate with the OVRC on any waiver exceeding six months.

(C) The MOR submitted in paper format completed in accordance with rule 3304:1-21-01 of the Administrative Code due the first day of the following month and will not be considered late if received or postmarked by close of business on the tenth calendar day of the following month. If such day is Saturday, Sunday, or legal holiday, the due date is the next BSVI workday. If an electronic MOR is required to be completed in accordance with rule 3304:1-21-01 of the Administrative Code it is due the first day of the following month and will not be considered late if received by close of business on the twenty-fourth calendar day of the following month;

(D) When payments are unpaid, incomplete or late penalties shall be applied pursuant to rule 3304:1-21-09 of the Administrative Code.

(E) Each month, each operator, shall submit the following:

(1) A service charge to BE which shall not exceed:

(a) Ten per cent of net proceeds up to one thousand dollars; plus

(b) Fifteen per cent of net proceeds over one thousand dollars up to two thousand five hundred dollars; plus



(c) Twenty per cent of net proceeds over two thousand five hundred dollars; plus

(2) Co-payment fee on maintenance and repair service calls, which include on-site labor and/or mileage charges, except in the following cases:

(a) For thirty calendar days after a piece of equipment is reassigned to a new location; or

(b) For thirty calendar days after an operator is reassigned to a new location.

(F) Full payment of the MOR charges shall be made to BE by the close of business the fourteenth calendar day after the date on the invoice when filing a paper MOR. If such day is Saturday, Sunday, or legal holiday, the due date is the next BSVI workday. For electronic MOR filing full payment of MOR charges are due the twenty-fourth calendar day of the month.

(G) If an MOR is outstanding forty-five days after its due date then BE shall prepare and send a written estimate of charges due and the operator shall be subject to penalty as described in rule 3304:1-21-09 of the Administrative Code.

(H) If the operator disagrees with a portion of the MOR charges prior to the due date of the disputed MOR charges, the operator shall:

(1) Submit a letter and supporting documentation describing the dispute to the BSVI director;

(2) The BSVI director shall review the documentation and investigate the dispute;

(3) Within thirty days of receipt of the dispute notification the BSVI director shall make a ruling as to whether the disputed charges should be rescinded by BE or paid by the operator;

(a) If the charges are to be rescinded, BE will make every effort to correct prior to the next MOR filing after the date of the ruling letter;

(b) If the charges are to be paid by the operator, the charges will be due in full within fourteen



calendar days of the date of the ruling letter from the BSVI director;

(4) If the operator is dissatisfied with the director's decision, the operator may take such action as permitted in rule 3304:1-21-14 of the Administrative Code.

(5) If the operator is successful in such action the operator shall be reimbursed the amount of the disputed charges.

(I) Service charges received by BE shall be used pursuant to 34 CFR 395.9, and may include assuring a fair minimum return to a displaced operator. The displaced operator receiving a fair minimum return must submit an invoice to BE for payment. A service charge shall not be levied against this amount nor shall it be shown on the MOR.