



## Ohio Administrative Code

### Rule 4729:11-2-05 Change in description of a HME services provider or discontinuation of business.

Effective: June 30, 2025

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(A) Any change in the ownership, business or trade name, category, or address of a HME services provider requires a new application and required fee. The application and required fee shall be submitted within thirty days of any change in the ownership, business or trade name, category, or address.

(B) A change in ownership includes any of the following:

(1) For all HME services providers:

(a) Any business entity change from its original form, as licensed or registered, to a sole proprietorship, partnership, limited liability company, corporation, or any other business entity.

(b) Two wholly owned subsidiaries of a parent company are merged.

(c) A HME services provider is purchased or operated by a different business entity than what is listed on the original application, even if the location maintains the original "doing business as" (DBA) and/or responsible person.

(2) For corporations:

(a) Except as provided in paragraph (B)(2)(d) of this rule, a change of controlling interest in ten per cent or more of a licensed corporation's outstanding shares of voting stock.

(b) An existing corporation ceases, and a new corporation or other business entity is formed.

(c) An existing corporation continues and there is a one hundred per cent stock purchase by another corporation or other business entity.



(d) For publicly traded corporations, a routine sale of stock is not a change of ownership.

A publicly traded corporation is a company that has listed itself on at least one public stock exchange or has issued securities and is subject to public reporting requirements.

(3) For partnerships, any partnership change, other than that which was originally licensed.

(a) A partnership change is deemed to have occurred when:

(i) There is an addition of one or more partners in a partnership to which a license is issued.

(ii) The entity is sold, and the sale becomes final.

(b) Transfer of a portion of ownership among existing partners is not a change of ownership, if there is no addition of a partner.

(4) For a limited liability company, any membership change of a limited liability company, other than that which was originally licensed.

(a) A membership change is deemed to have occurred when:

(i) There is an addition of one or more members in a company to which a license is issued.

(ii) The entity is sold, and the sale becomes final.

(b) For limited liability companies, a transfer of a portion of ownership among existing members is not a change of ownership, if there is no addition of a member.

(5) Any other business model change, as determined by the board to be a change of ownership.

(C) If any change of ownership in accordance with paragraph (B) of this rule results in a new or different DBA, or a new or different employer identification number (EIN), an application fee is required.



(D) A change of ownership set forth in this rule or as otherwise determined by the board's executive director or the director's designee, may require the board to issue a new license or registration number.

(E) A change of ownership as described in paragraph (B) of this rule of a licensee's parent or holding company shall not require a new application, required fee, or license/registration.

(F) A change of address includes the physical relocation of a HME services provider's operations and location of home medical equipment. This shall include a change of suites within an existing building or campus.

(G) A change of address that results from a change within a local government entity or United States postal service (U.S.P.S.) that does not include any physical relocation of a HME services provider's operations shall not require an application and fee. The HME services provider shall submit written notification to the board, in a manner determined by the board, indicating the change of address.

(H) A HME services provider who plans to discontinue business activities shall file a notice with the state board of pharmacy. The notice shall be submitted, in a manner determined by the board, within thirty days in advance of the proposed date of discontinuing business. This notice shall include the following information:

(1) The name, address, and license or registration number of the HME services provider discontinuing business.

(2) The name and address of the location where the records will be maintained in accordance with rule 4729:11-3-02 of the Administrative Code.

(3) The proposed date of discontinuing business.