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H.B. 509
133rd General Assembly

Bill Analysis

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Version: As Passed by the House

Primary Sponsor: Rep. Fraizer

Jason Hoskins, Attorney

SUMMARY

- Specifies that an existing licensed residential care facility may request an expedited licensing inspection from the Director of Health when the facility is seeking approval to increase or decrease its licensed capacity or make any other change for which the Director requires a licensing inspection to be conducted.

DETAILED ANALYSIS

Expedited licensing inspections

Nursing homes, residential care facilities, homes for the aging, and veterans' homes (collectively referred to as homes) must be inspected at least once by the Director of Health before the Director issues the home a license.¹ Current law permits an applicant for licensure to request an expedited licensing inspection from the Director. If, before receiving a license, a home requests an expedited licensing inspection, the Director is required to conduct the inspection not later than ten days after receiving the request.²

With respect to existing homes that are licensed as residential care facilities, the bill permits these facilities to request an expedited licensing inspection from the Director when a facility is seeking approval to increase or decrease its licensed capacity or to make any other change for which the Director requires a licensing inspection to be conducted.³ Under current

¹ R.C. 3721.02(B)(1).

² Ohio Administrative Code (O.A.C.) 3701-16-03.1.

³ R.C. 3721.02(B)(2).

rules adopted by the Director, the expedited licensing inspection process is not available to existing residential care facilities requiring an inspection for these types of changes.⁴

The bill provides that any rules adopted by the Director to implement the bill's requirements for existing residential care facilities seeking an expedited licensing inspection are not subject to the law that requires a state agency to remove two or more existing rules when simultaneously adopting a new rule.⁵

Obsolete procedures and terms

The bill eliminates provisions of law describing (1) a process by which a home may request that the Director review plans for a building that is to be used as a home to determine compliance with applicable state and local building and safety codes and (2) authority to collect fees for reviewing the plans.⁶ According to representatives of the Department of Health, this process for reviewing plans is not currently utilized by the Department.

The bill also replaces the following terms that are no longer used to refer to certain types of long-term care facilities: rest home and adult care facility.

HISTORY

Action	Date
Introduced	02-13-20
Reported, H. Aging & Long Term Care	11-19-20
Passed House (93-0)	12-02-20

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⁴ O.A.C. 3701-16-03.1(D).

⁵ R.C. 3721.02(B)(2)(a); R.C. 121.95(F), not in the bill.

⁶ R.C. 3721.02(B)(2)(b) and (c).