



JOHN R. KASICH
GOVERNOR
STATE OF OHIO

Executive Order 2012-16K

The Emergency Amendment of Rules 3304-1-12 and 3304-2-52
of the Ohio Administrative Code by the Ohio Rehabilitation Services Commission

WHEREAS, Section 3304.14(B)(2) of the Revised Code requires the Administrator of the Ohio Rehabilitation Services Commission to establish a fee schedule for vocational rehabilitation services.

WHEREAS, the Ohio Rehabilitation Services Commission desires to immediately amend the Ohio Administrative Code, specifically Rules 3304-1-12 and 3304-2-52, to establish a standardized fee schedule by which the Ohio Rehabilitation Services Commission will pay providers for vocational rehabilitation services.

WHEREAS, currently the Ohio Rehabilitation Services Commission is the only agency of its kind in the nation that allows providers of vocational rehabilitation services to set their own rates for services provided to vocational rehabilitation consumers.

WHEREAS, a standardized fee schedule for vocational rehabilitation services will improve the management of the services provided to consumers and enhance the services the Ohio Rehabilitation Services Commission provides to Ohioans with disabilities.

WHEREAS, the vocational rehabilitation program operates on a federal fiscal cycle and monitors all services within this cycle, which assists the Ohio Rehabilitation Services Commission in complying with the federal standards set out in 34 CFR Part 361, pertaining to the State Vocational Rehabilitation Services Program.

WHEREAS, Section 3304.16 of the Revised Code authorizes the Ohio Rehabilitation Services Commission to promulgate rules in accordance with Chapter 119 of the Revised Code.

WHEREAS, the Ohio Rehabilitation Services Commission has requested a determination whether an emergency exists that requires the immediate amendment to Rules 3304-1-12 and 3304-2-52 of the Ohio Administrative Code in order for the Ohio Rehabilitation Services Commission, pursuant to Section 3304.14(B)(2) of the Revised Code, to establish a fee schedule for vocational rehabilitation services by the start of the federal fiscal year, October 1.

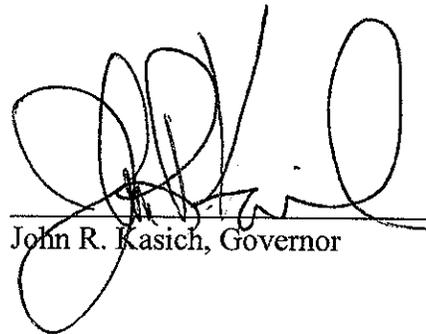
NOW THEREFORE, I, John R. Kasich, Governor of the State of Ohio, have determined, upon the request of the Ohio Rehabilitation Services Commission, that an emergency exists requiring the immediate amendment of Rules 3304-1-12 and 3304-2-52 of the Ohio Administrative Code by the Ohio Rehabilitation Services Commission to allow the new fee

schedule to go into effect on October 1, 2012, the start of the federal fiscal year. Further, I hereby order that the procedures prescribed by Section 119.03 of the Ohio Revised Code with respect to the amendment of the specified rules be suspended and the Ohio Rehabilitation Services Commission be permitted to amend these rules immediately by electronically filing them with the Secretary of State, the Director of the Legislative Services Commission, and the Joint Committee on Agency Rule Review.

Further, I hereby order that this Executive Order be filed in electronic form with the Ohio Rehabilitation Services Commission, the Secretary of State, the Director of the Legislative Services Commission, and the Joint Committee on Agency Rule Review.

I signed this Executive Order on September 26, 2012, in Columbus, Ohio, and it will expire at the end of the ninetieth day it is in effect.




John R. Kasich, Governor

ATTEST:

Jon Husted, Secretary of State