



JOHN R. KASICH  
GOVERNOR  
STATE OF OHIO

### **Executive Order 2011-13K**

The Emergency Amendment of Rule 5101:3-2-07.4 of the Ohio Administrative Code by the Ohio Department of Job and Family Services

**WHEREAS**, Rule 5101:3-2-07.4 of the Ohio Administrative Code allows the 5% inpatient hospital rate increase, implemented October 1, 2009, to expire June 30, 2011.

**WHEREAS**, Section 309.30.35 of Am. Sub. H.B. No. 153 of the 129<sup>th</sup> General Assembly (H.B. 153) continues the rate increase through June 30, 2013 without interruption.

**WHEREAS**, if an amendment to Rule 5101:3-2-07.4 of the Ohio Administrative Code is not effective July 1, 2011, hospital rates will revert to those in effect on September 30, 2009.

**WHEREAS**, Section 5111.02 of the Ohio Revised Code authorizes the Ohio Department of Job and Family Services (ODJFS) to promulgate rules relating to inpatient hospital reimbursement.

**WHEREAS**, Section 119.03(F) of the Ohio Revised Code authorizes the Governor, upon the request of a state agency, to determine that an emergency exists necessitating the immediate adoption, amendment, or rescission of an agency rule.

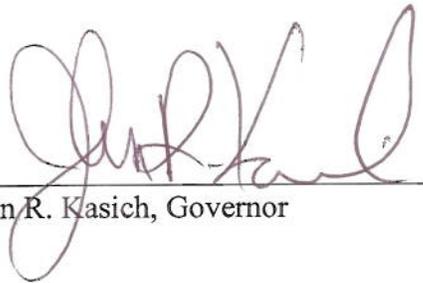
**WHEREAS**, ODJFS has requested a determination whether an emergency exists that requires the immediate amendment of Rule 5101:3-2-07.4 of the Ohio Administrative Code in order for ODJFS, pursuant to Section 5111.02 of the Ohio Revised Code and Section 309.30.35 of H.B. 153, to continue the 5% inpatient rate increase for hospitals through June 30, 2013.

**NOW THEREFORE**, I, John R. Kasich, Governor of the State of Ohio, have determined, upon the request of ODJFS, that an emergency exists requiring the immediate amendment of Rule 5101:3-2-07.4 of the Ohio Administrative Code by ODJFS. Further, I hereby order that the procedures prescribed by Section 119.03 of the Ohio Revised Code with respect to the amendment of such specified rule be suspended and ODJFS be permitted to immediately amend this rule by electronically filing it with the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review.

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

I signed this Executive Order on June 30, 2011 in Columbus, Ohio and it will expire at the end of the ninetieth day it is in effect.



  
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John R. Kasich, Governor

ATTEST:

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Jon Husted, Secretary of State