

5123:2-3-15**Procedures to waive licensure rule requirements.**

- (A) For adequate reasons and when requested in writing by a licensee, the director may waive a condition or specific requirement of a rule in Chapter 5123:2-3 of the Administrative Code or a rule in other chapters of the Administrative Code adopted by the department to license or regulate the operation of residential facilities.
- (B) The director may require or solicit input regarding the licensee's request for a rule waiver from individuals residing in the residential facility, the individuals' guardians, or the county board for the county in which the residential facility is located.
- (C) The director shall grant or deny a request for a rule waiver within ten working days of receipt of the request or within such longer period of time as the director deems necessary and may put whatever conditions on the rule waiver as are determined to be necessary.
- (D) Approval to waive a condition or specific requirement shall not be contrary to the rights, health, or safety of the individuals residing in the residential facility.
- (E) The decision to grant or deny a rule waiver is final and may not be appealed.

Replaces: 5123:2-3-15
Effective: 11/12/2012
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CERTIFIED ELECTRONICALLY

Certification

11/02/2012

Date

Promulgated Under: 119.03
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Rule Amplifies: 5123.04, 5123.19
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