

NOTICE OF PUBLIC HEARING

The Ohio Industrial Commission will hold a Public Hearing on Friday, March 13, 2009 at 1:00 p.m., 3rd Floor, Training Room B, 30 West Spring Street, Columbus, Ohio to consider the following:

The Amendment of the following rules of the Industrial Commission for reasons shown below:

4121-15-01 Code of ethics, title and rules covering

The amendment to the rule strikes reference to rule 4123-15-02 of the Administrative Code, and instead, makes reference to rule 4123-15-01 of the Administrative Code.

The amendment also provides that in addition to any civil or criminal penalties that may be provided by statute or rule, an employee who violates any of the provisions in the code of ethics shall be subject to discipline as provided in the employee handbook of the employee's agency.

4121-15-03 Standards of conduct

The amendment strikes current paragraph (B) of rule 4121-15-03 of the Administrative Code concerning gifts and gratuities and substitutes the Model Ethics Policy for State Agencies adopted by the Ohio Ethics Commission.

The amendment renumbers paragraph (A) of rule 4121-15-03 of the Administrative Code concerning confidential information to paragraph (H) of rule 4121-15-03 of the Administrative Code.

4121-15-05 Purpose: eliminating outside influence; producing impartiality in handling of claims and employer risk accounts and avoiding favoritism

The amendment adds reference to rules 4121-15-05 to 4121-15-09 of the Administrative Code, to the reference currently in rule 4121-15-05 of the Administrative Code to rules 4123-15-05 to 4123-15-09 of the Administrative Code.

4121-15-08 Remedial action against persons exercising improper influence and engaging in favoritism

The amendment strikes reference to the internal security committee, since the internal security committee was abolished in 2007 pursuant to H.B. 100. In place of reference to the internal security committee the amendment provides that upon receipt of information indicating a violation of rule 4121-15-07 of the Administrative Code, to ensure appropriate corrective action, the industrial commission or the administrator, as the case may be, shall take every action to ensure the matter is investigated, and, provided the

circumstances warrant it, shall notify the office of deputy inspector general for the bureau of workers' compensation and industrial commission, and any other appropriate agency or official.

4121-15-09 Prohibition against unnecessary claim file possession

The amendment strikes reference to the internal security committee, which was abolished in 2007 by H.B. 100. The amendment provides in case of a violation of rule 4121-15-09 of the Administrative Code that the executive director of the commission or the chief ethics officer of the bureau, depending on the agency, shall refer the matter to the office of deputy inspector general for the bureau of workers' compensation and industrial commission for investigation, or to the administrator or the industrial commission for action consistent with division (A) of section 4121.122 of the Revised Code. The amendment also updates the rule on possession of a claim file to recognize that workers' compensation claim file folders are generally in electronic format, instead of paper format.

All interested parties will be given an opportunity to be heard. Any interested party unable to attend the public hearing may submit written comments via e-mail to rulecomments@ic.state.oh.us prior to the public hearing.

Pursuant to the Americans with Disabilities Act, the Industrial Commission will consider a reasonable accommodation to allow qualified interested parties with a disability to testify where the accommodation is necessary and available and does not present an undue hardship to the Industrial Commission. If you require special accommodations you should contact the Office of Human Resources at (614) 466-2765 to make such needs known to the Industrial Commission Human Resources Office.

The full and complete text of the proposed rules is available at the Register of Ohio www.registerofohio.state.oh.us and is on file in the office of the Secretary of State (180 E. Broad Street, Suite 103, Columbus, Ohio), the Legislative Service Commission (77 South High Street, 9th Floor, Columbus, Ohio), the office of the Joint Committee on Agency Rule Review (77 South High Street, Concourse Level, Columbus, Ohio), and all Industrial Commission offices and all service offices of the Bureau of Workers' Compensation. In addition, the text of the proposed rules may be viewed at the Industrial Commission website www.ic.state.oh.us or www.ohio.ic.com.