

DRAFT – PROPOSED AMENDMENT

4121-3-30 Emergency hearings.

- (A) A hearing will be deemed an emergency hearing where a party is undergoing severe financial hardship due to immediate foreclosure actions, eviction notices, shutoff notices for gas, electric, or water, or a party to a claim is in dire need of emergency medical treatment, and the issue to be heard can potentially resolve the financial hardship or approve payment of the needed medical treatment.
- (B) Hearings before district and staff hearing officers
- (1) When an emergency exists which requires an immediate hearing of a claim, the person for whom the emergency exists, shall make a written request with supporting documentation of the emergency to the regional hearing administrator of the commission.
 - (2) Upon determining the request meets the requirements of paragraph (A) of this rule, the ~~The~~ hearing administrator, ~~upon determining the request valid,~~ shall contact the parties to attempt to reach an agreement regarding the date and time of the emergency hearing. If the parties cannot reach a consensus, the hearing administrator shall set the claim for hearing on the first available docket, and give all the parties at least forty-eight hours notice of the emergency hearing by telephone, regular mail, and facsimile, as available.
- (C) Hearings before the commission
- (1) When an emergency exists which requires the immediate hearing of a claim before the commission, the person for whom the emergency exists shall make a written request to the manager of commission level hearings or other individual designated by the commission.
 - (2) The commission, upon determining the request meets the requirements of paragraph (A) of this rule, ~~determination of the validity of the request,~~ shall contact the parties to attempt to reach an agreement regarding the date and time of the emergency hearing. If the parties cannot reach a consensus, the commission shall arrange for the claim to be heard on the earliest possible docket of the commission or, upon the direction of the commission, shall assign it to the earliest possible docket of a person sitting as a deputy of the commission.
- (D) The written notice of the emergency hearing may be expressly waived by all parties. Such waiver is to be in writing and signed by all parties. The waiver is to be placed in the record of the claim file.
- (E) The appeal period provided by section 4123.511 of the Revised Code may be expressly waived by all parties concerned in order to expedite the processing of the order resulting from an emergency hearing.