

3701-18-03 Inspections; suspension or revocation of approval of training and competency evaluation and train-the-trainer programs.

- (A) The director or the director's designee shall inspect each approved program during the first year after initial approval. The director or designee shall conduct an unannounced inspection at least once during each approval period thereafter.
- (1) The director or designee may conduct other announced or unannounced inspections of approved programs or applicants, and sites at which they are or will be conducted, as are deemed necessary, and may investigate complaints pertaining to any approved program.
 - (2) The director or designee, at any time it is considered to be necessary, also may examine an approved program by requesting that the program submit documents to the director or the designee.
 - (3) If an inspection or examination of an approved program or applicant reveals violations of section 3721.30 or 3721.31 of the Revised Code or of this chapter, the director or the director's designee may require the program or applicant to submit an acceptable, written plan of correction for each violation. The program or applicant shall submit the plan within ten business days after receiving notice of the violation. The decision to require or not to require a plan of correction does not preclude the director or the designee from pursuing any other remedy provided by law.
- (B) The director or the director's designee shall provide information concerning the approval status of programs to any person or government entity upon request.
- (C) Except as otherwise provided in this paragraph or paragraph (D) of this rule, in accordance with Chapter 119. of the Revised Code, the director or the director's designee may suspend, deny, or revoke approval of a TTT program or a TCEP that is not in compliance with sections 3721.30 and 3721.31 of the Revised Code and this chapter, except that the director or the director's designee shall revoke or deny approval of any program:
- (1) That refuses to allow an inspection under paragraph (A) of this rule.
 - (2) Conducted by or in a long-term care facility if the director may not approve a TCEP for the reasons provided under paragraph (C) of rule 3701-18-06 of the Administrative Code.
- If the director or designee revokes approval of a TCEP, the director or designee shall permit the trainees who have started in the program to complete it.
- (D) Any finding by the director that a TCEP should be denied, suspended or revoked because a long-term care facility did not comply with a provision of Chapter 3701-18 of the Administrative Code and that matter is specified as an initial determination under 42 C.F.R. 498.3 (b)(14)(ii) (1987), shall not be appealed pursuant to Chapter 119. of the Revised Code. Instead the director or the director's designee shall notify the United States department of health and human services of the matter, and any right to appeal or determination of compliance shall be afforded or conducted in accordance with the regulation of that agency.

Effective: 04/01/2012

R.C. 119.032 review dates: 12/2012011 and 12/01/2016

CERTIFIED ELECTRONICALLY

Certification

03/22/2012

Date

Promulgated Under: 119.03
Statutory Authority: 3721.28, 3721.29, 3729.30
Rule Amplifies: 3721.33, 3721.34
Prior Effective Dates: 8/31/89 (Emer.), 12/1/89 (Emer.),
4/20/90 (Emer),7/16/90, 9/5/93, 2/10/02, 5/1/07