

**As Introduced**

**129th General Assembly  
Regular Session  
2011-2012**

**H. C. R. No. 29**

**Representative Sears**

**Cosponsors: Representatives Adams, J., Beck, Combs, Gonzales, Letson,  
Murray, Wachtmann**

---

**CONCURRENT RESOLUTION**

To approve the Public Health Council's proposed 1  
revision of Chapter 3701-36 of the Ohio 2  
Administrative Code establishing standards to be 3  
met by boards of health and local health 4  
departments and procedures for payment of state 5  
subsidies for meeting those standards. 6

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE  
OF OHIO (THE SENATE CONCURRING):**

WHEREAS, In 1981, the 114th General Assembly enacted Am. Sub. 7  
H.B. 694, a general appropriations act that included a provision 8  
requiring the Public Health Council of the Department of Health to 9  
adopt rules establishing minimum standards and optimum achievable 10  
standards for boards of health and local health departments and a 11  
formula for distribution of state subsidy funds according to the 12  
level at which those standards are met; and 13

WHEREAS, The rules have been adopted as required by section 14  
3701.342 of the Revised Code and are included in Chapter 3701-36 15  
of the Administrative Code; and 16

WHEREAS, on September 2, 2011, the Public Health Council 17  
filed with the Legislative Service Commission a proposal to revise 18

Chapter 3701-36 of the Administrative Code by amending rules 19  
3701-36-01, 3701-36-02, 3701-36-03, 3701-36-10, 3701-36-11, 20  
3701-36-12, and 3701-36-13, rescinding and proposing new rule 21  
3701-36-04, and rescinding rules 3701-36-05 to 3701-36-09; and 22

WHEREAS, The Public Health Council's proposed revision of 23  
Chapter 3701-36 of the Administrative Code includes standards for 24  
protecting people from disease and injury, monitoring health 25  
status, assuring a safe and healthy environment, promoting healthy 26  
lifestyles, and addressing the need for personal health services, 27  
as well as procedures for payment of state subsidies for meeting 28  
those standards; and 29

WHEREAS, On October 6, 2011, the Public Health Council 30  
conducted a public hearing on its proposed revision of Chapter 31  
3701-36 of the Administrative Code and has not been required to 32  
remove all or any part of its proposed revision from the 33  
rule-making process; and 34

WHEREAS, On October 24, 2011, the Joint Committee on Agency 35  
Rule Review considered the proposed revision of Chapter 3701-36 of 36  
the Administrative Code and took no action against the proposed 37  
revision; and 38

WHEREAS, Section 3701.342 of the Revised Code provides that 39  
rules adopted by the Public Health Council pursuant to that 40  
section cannot take effect unless approved by concurrent 41  
resolution of the General Assembly; now therefore be it 42

RESOLVED, That the General Assembly, in adopting this 43  
concurrent resolution, approves the Public Health Council's 44  
proposed revision of Chapter 3701-36 of the Administrative Code, 45  
as filed with the Legislative Service Commission on September 2, 46  
2011, considered in a public hearing on October 6, 2011, and 47  
considered by the Joint Committee on Agency Rule Review on October 48  
24, 2011; and be it further 49

RESOLVED, That the Clerk of the House of Representatives	50
transmit duly authenticated copies of this resolution to the	51
Public Health Council, the Director of Health, the Director of the	52
Joint Committee on Agency Rule Review, and the Director of the	53
Legislative Service Commission.	54