

Baldwin's

OHIO ADMINISTRATIVE CODE

Approved Edition

2024–2025

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Ohio Administrative Law Handbook
and Agency Directory



Editor-in-Chief
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INTRODUCTION TO THE 2024-2025 EDITION

Baldwin's Ohio Administrative Code

Volume 17

Ohio Administrative Law Handbook and Agency Directory

The 2024-2025 Edition of the Ohio Administrative Law Handbook and Agency Directory (Volume 17 of Baldwin's Ohio Administrative Code) provides definitive information about administrative law and agencies in Ohio. It offers an overview of the organization, powers and duties of state agencies, and text of relevant portions of the Ohio Revised Code.

Highlights

- Agency investigations (Chapter 1)
- Restrictions upon persons promising or giving substantial and improper things of value (Chapter 9)
- Children and Youth, Department of (Directory Update)
- Updates to Appendix A Ohio Revised Code (Selected Provisions)

Thank you for subscribing to Ohio Administrative Law Handbook and Agency Directory. We hope you find this book an invaluable tool for your practice.

THE PUBLISHER

Preface to the 2024-2025 Edition

The legislative, judicial, and executive branches of Ohio's government promulgate statutes, case law, and administrative regulations, respectively. This book addresses the latter. Generally, lawyers are familiar with statutes and case law. However, relatively few lawyers routinely encounter regulations and administrative practice. This book is designed to serve as a reference and practice guide for legal professionals. It is intended to be a resource to Ohio lawyers working through the procedures and practices of the myriad of state and local administrative agencies. The focus of this book is the statutory and administrative rules of process and procedure that agencies must follow in making their decisions, rather than the substantive subject-matter law of various administrative agencies.

Ohio and federal administrative law share the same fundamental structure and presumptions as both address the way executive branch agencies exercise their discretion and statutory authority. There are key differences between Ohio and federal administrative law, however. Notable among these are review of agency regulations in Ohio by the General Assembly's Joint Committee on Agency Rule Review (JCARR). The courts perform this function in the federal system. Another notable difference is judicial review of agency adjudications, including submission of new evidence in the Common Pleas Courts, rather than a review of the record in the federal courts. Finally, proposed agency rules from Ohio's administrative agencies are subject to review, particularly economic impact analysis, by the Common Sense Initiative (CSI) led by Ohio's Lt. Governor. The Ohio Secretary of State's Office and the Legislative Services Commission also participate procedurally in Ohio's administrative rules-making process. These and other differences underscore the need for Ohio lawyers to be familiar with the unique aspects of Ohio administrative law and practice.

I would like to thank my former co-editor, David Patton, for all of his work on prior editions.

I also want to thank the publisher's staff, particularly Carol L. Fetter, J.D., for their assistance with this updated edition. Finally, I would like to thank the leadership and members of the Administrative Law Committee of the Ohio State Bar Association. For lawyers practicing in the area of administrative law, the OSBA Administrative Law Committee is a great way to get involved with colleagues who share the interest in the field. Becoming an OSBA Board Certified Specialist in Administrative Agency Law is another way to highlight your skills and experience. All of us hope that this volume will provide you with support and assistance in your administrative law practice.

Paul M. Nick, J.D.
Editor-in-chief
Administrative Law Committee
Ohio State Bar Association
2024

About the Editor

Paul M. Nick serves as the Executive Director of the Ohio Ethics Commission where he oversees the state-wide responsibilities of the Commission. He joined the Ohio Ethics Commission as Investigative Counsel in 1995 and became Chief Investigative Attorney in 2000 and has served as a special prosecutor in over 25 cases statewide. As Executive Director his responsibilities include: providing ethics advice to the public and private sectors; confidentially investigating the alleged unethical actions of state and local public servants; managing financial disclosure made by 11,000 public office holders; conducting public education and providing information; and supervising the administrative functions of the Commission. Mr. Nick also represents the Commission before the General Assembly and other governmental bodies. Before joining the Ethics Commission staff, Mr. Nick was with the Columbus City Attorney's Office. He received his Bachelor of Arts degree in Economics from the University of Illinois at Urbana-Champaign and his Bachelor of Science degree in Forensic Accounting from Franklin University. He earned his Juris Doctor degree from The Ohio State University where he served as Articles Editor of The Ohio State Law Journal. He is the past president and secretary/treasurer of the Council on Governmental Ethics Laws (COGEL). He is the co-author of Text Chapter 9, Ethics for Public Officials, Public Employees, and Attorneys in Administrative practice.

About the Authors

Tony W. Bledsoe was appointed Legislative Inspector General in September of 2004, after serving as the Joint Legislative Ethics Committee's Chief Legal Counsel since 2001. Prior to Director Bledsoe's tenure at the Joint Legislative Ethics Committee, his past public service included time at the Ohio Department of Commerce as a securities investigative attorney and experience in the areas of election and campaign finance law. He is a graduate of Youngstown State University and The Ohio State University Moritz College of Law. Director Bledsoe is a member of the international Council on Government Ethics Laws and the Ohio Investigators Association. He is co-author of Text Chapter 9, Ethics for Public Officials, Public Employees, and Attorneys in Administrative Practice.

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Christopher B. McNeil, J.D., Ph.D. is an administrative law judge for the Federal Deposit Insurance Corporation. From 1995 to 2009 he served as an administrative hearing examiner for Ohio agencies. He earned his undergraduate and law degrees from the University of Kansas (BJS 1978; JD 1981), and his master's degree and doctorate in Judicial

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